



# I-70 East

## SECTION 106 DETERMINATIONS OF ELIGIBILITY AND EFFECTS

MARCH 2015



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Since the submittal of the Section 106 Determinations of Eligibility and Effects Report (Report) in March 2015, CDOT has consulted with the State Historic Preservation Officer and the Consulting Parties on a number of topics including modifications to the Area of Potential Effect (APE), eligibility and effects determinations and clarification of effects.

While the technical information in the Report has not been updated, the correspondence since March 2015 has been included in Appendices Q to AV.





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# List of acronyms

APE	Area of Potential Effect
BNSF	Burlington Northern and Santa Fe Railway
CB&Q	Colorado/Chicago, Burlington, and Quincy Railroad
CDOT	Colorado Department of Transportation
DEIS	Draft Environmental Impact Statement
Denver	City and County of Denver
DP	Denver Pacific Railroad
EIS	Environmental Impact Statement
FHWA	Federal Highway Administration
KP	Kansas Pacific Railroad
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
NTHP	National Trust for Historic Preservation
PACT	Preferred Alternative Collaborative Team
ROW	Right of Way
RTD	Regional Transportation District
SDEIS	Supplemental Draft Environmental Impact Statement
SHPO	State Historic Preservation Office



# 1. Introduction

The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The intent of the EIS is to identify highway improvements along I-70 in the Denver metropolitan area between I-25 and Tower Road and to assess their potential effects on the human and natural environment. Analysis of the effects of the proposed I-70 East Project was undertaken to comply with Section 106 of the National Historic Preservation Act of 1966, as amended; the National Environmental Policy Act (NEPA) of 1969, as amended; and the U.S. Department of Transportation Act of 1966, as amended. In 2008, a Draft Environmental Impact Statement (DEIS) was published, which reflected the results of a 2008 cultural resources survey within the established Area of Potential Effect (APE). From 2012 through the present, the APE was modified and the survey efforts were updated. The APE was revised from the 2008 version to take into account changes in alternatives that were studied in the Supplemental Draft Environmental Impact Statement (SDEIS), published in 2014. The steps outlining the APE alteration process are detailed in Chapter 3 of this document. The correspondence from 2012 through the present related to the Section 106 process is found in Attachment I, Appendix A-P.

This report describes the historic resources in the project APE that are listed on or eligible for the National Register of Historic Places (NRHP) and effects that the alternatives under consideration would have on these resources. As additional engineering is completed, more information will be known about impacts to these properties. If the impacts at project implementation are different from those discussed in this report, the consulting parties will be advised of the changes and comments will be requested for Section 106 consultation.

## 1.1. Description of Alternatives

The No-Action Alternative and Build Alternatives (Revised Viaduct Alternative and Partial Cover Lowered Alternative) are fully evaluated in the Supplemental Draft EIS. Table 1 summarizes the alternatives and options under consideration.

**Table 1. Alternatives and options**

Alternative		Expansion Options	Connectivity Options	Operational Options
No-Action		<ul style="list-style-type: none"> <li>• North</li> <li>• South</li> </ul>	N/A	N/A
Build Alternatives	Revised Viaduct	<ul style="list-style-type: none"> <li>• North</li> <li>• South</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• General-Purpose Lanes</li> <li>• Managed Lanes</li> </ul>
	Partial Cover Lowered	N/A	<ul style="list-style-type: none"> <li>• Basic</li> <li>• Modified</li> </ul>	<ul style="list-style-type: none"> <li>• General-Purpose Lanes</li> <li>• Managed Lanes</li> </ul>

### No-Action Alternative

The No-Action Alternative replaces the existing viaduct between Brighton Boulevard and Colorado Boulevard without adding any capacity; the remainder of the corridor would reflect current conditions and include existing, planned, and programmed roadway and transit improvements (such as FasTracks) in the project area. The No-Action Alternative is shown in Figure 1.

### Build Alternatives

Build Alternatives add capacity to I-70 by constructing additional lane(s) or restriping between I-25 and Tower Road.

**Revised Viaduct Alternative.** The Revised Viaduct Alternative is shown in Figure 2. This alternative replaces the existing I-70 viaduct between Brighton Boulevard and Colorado Boulevard. It adds two

additional lanes in each direction from Brighton Boulevard to Tower Road. It also increases capacity between I-25 and Brighton Boulevard by restriping.

**Partial Cover Lowered Alternative.** The Partial Cover Lowered Alternative is shown in Figure 3. This alternative removes the existing I-70 viaduct between Brighton Boulevard and Colorado Boulevard, lowering the highway below grade in this area, while adding two additional lanes in each direction from Brighton Boulevard to Tower Road. This alternative includes a cover over the highway between Clayton Street and Columbine Street. The alternative also adds capacity from I-25 to Brighton Boulevard by restriping.

### Alternative Options

**Expansion Options.** Expansion Options, shown in Figure 1 and Figure 2, refer to moving the north edge of the highway north or the south edge of the highway south of the existing facility from Brighton Boulevard to Colorado Boulevard to accommodate the larger footprint resulting from standard-width lanes, expanded shoulders, and construction phasing. These options apply to the No-Action Alternative and the Revised Viaduct Alternative. The Partial Cover Lowered Alternative does not include the Expansion Options because expansion of the highway can occur only on the north side due to engineering restrictions and the location of the Union Pacific Rail Road rail yard to the south at Brighton Boulevard.

**Connectivity Options.** Connectivity Options are shown in Figure 3 and apply only to the Partial Cover Lowered Alternative. They include different frontage road and highway cover combinations. The Basic Option includes a highway cover between Clayton Street and Columbine Street, with East 46th Avenue operating as a one-way road on each side of the highway (westbound on the north side and eastbound on the south side). The Modified Option removes the Steele Street/Vasquez Boulevard Interchange to allow for an additional cover in the vicinity of Steele Street. East 46th Avenue is designed as a two-way street on both the north and south sides of the highway; however, it is discontinued between Clayton Street and Columbine Street on the north side to allow for a seamless connection between Swansea Elementary School and the highway cover. Vehicular north-south connectivity across the highway at Josephine Street would be eliminated and replaced with a bike/pedestrian bridge. Additional connectivity and intersection improvements are discussed in the I-70 East Supplemental Draft EIS (Chapter 3, Summary of Project Alternatives).

**Operational Options.** Operational Options include two scenarios on how the additional capacity would be managed and operated. The General-Purpose Lanes Option would allow all vehicles to use all the lanes on the highway, while the Managed Lanes Option implements operational strategies (such as pricing) for the additional lanes that would be adjusted based on real-time traffic demand for vehicles that use these lanes. The additional lanes are separated with a four-foot striped buffer from the rest of the lanes under the Managed Lanes Option, and they have direct connections to I-225, I-270, and Peña Boulevard. Operational Options apply to the Revised Viaduct Alternative and the Partial Cover Lowered Alternative, and they are shown in Figure 2 and Figure 3.



Figure 1. No-Action Alternative



Figure 2. Revised Viaduct Alternative



**Figure 3. Partial Cover Lowered Alternative**



## 1.2. Alternatives and Historic Properties

Determinations of effect to historic resources were re-assessed for the No-Action Alternative and for the Revised Viaduct Alternative (formerly the Existing Alignment Alternative in the 2008 Draft EIS); in addition, effects related to the Partial Cover Lowered Alternative were evaluated. Figures 4 through 15 show the alternatives and historic properties. For more details regarding the alternatives, please refer to Chapter 3, Summary of Project Alternatives, in the Supplemental Draft EIS.



**Figure 4. No-Action Alternative, North Option (Brighton Boulevard to Clayton Street)**

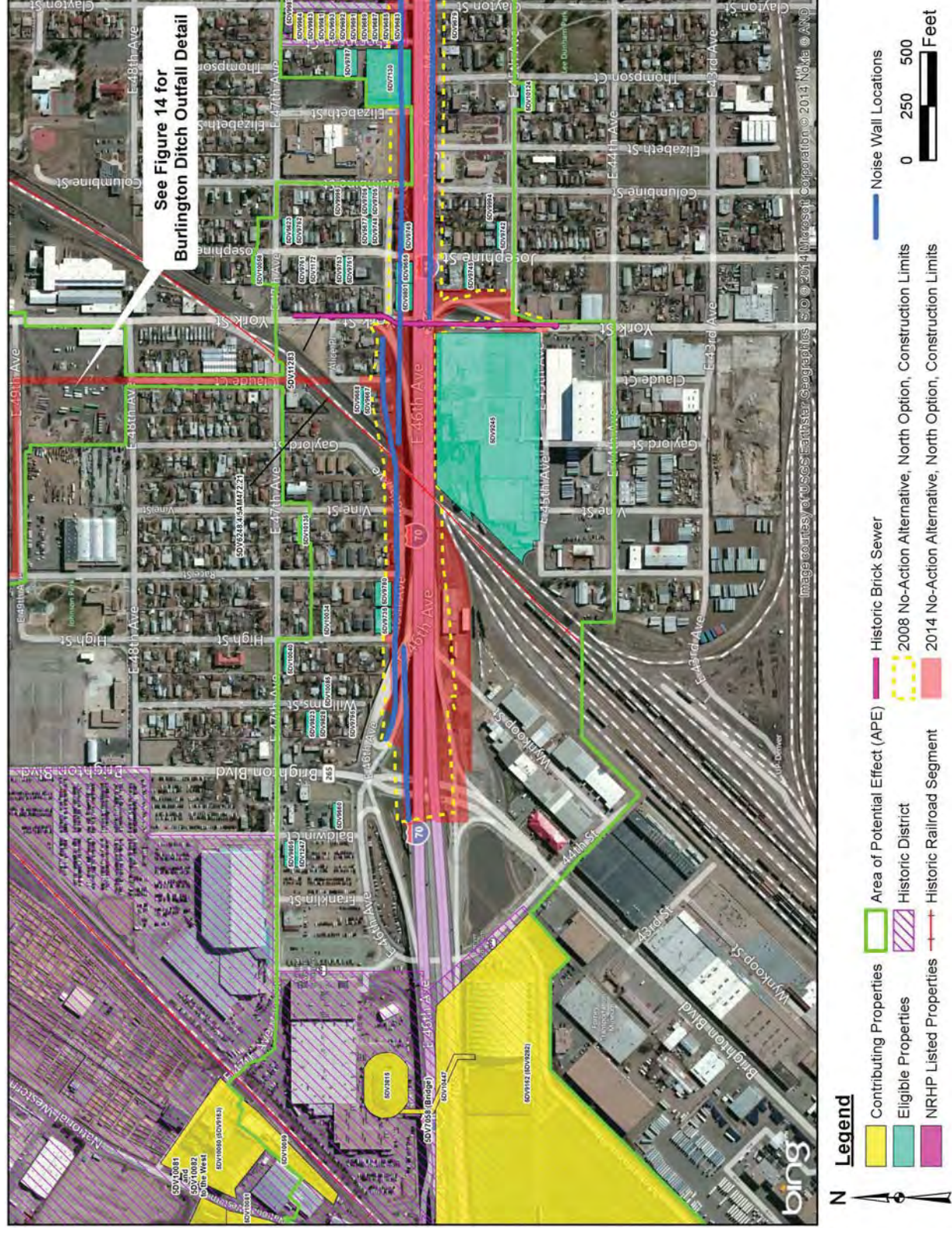




Figure 5. No-Action Alternative, North Option (Clayton Street to Colorado Boulevard)

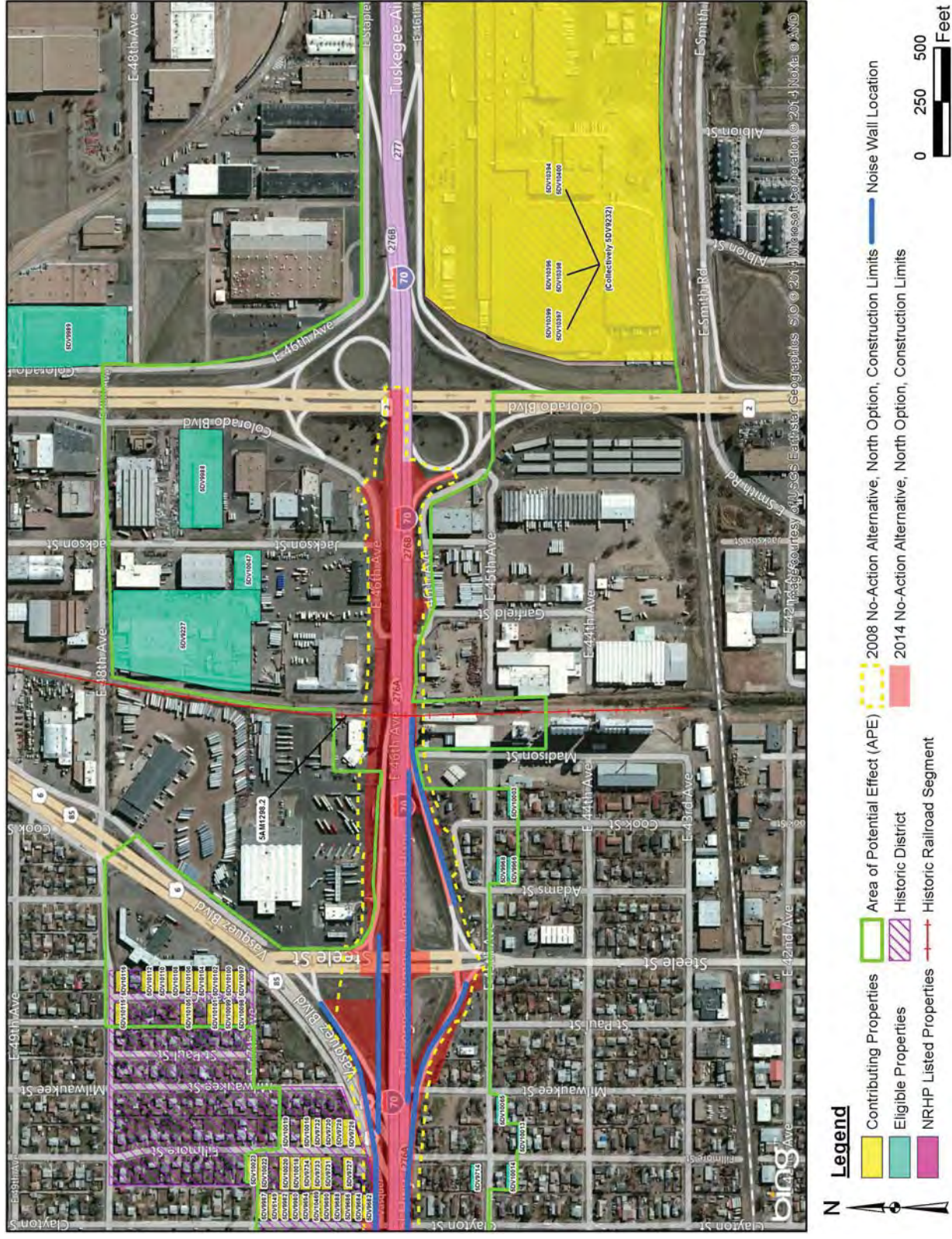




Figure 6. No-Action Alternative, South Option (Brighton Boulevard to Clayton Street)

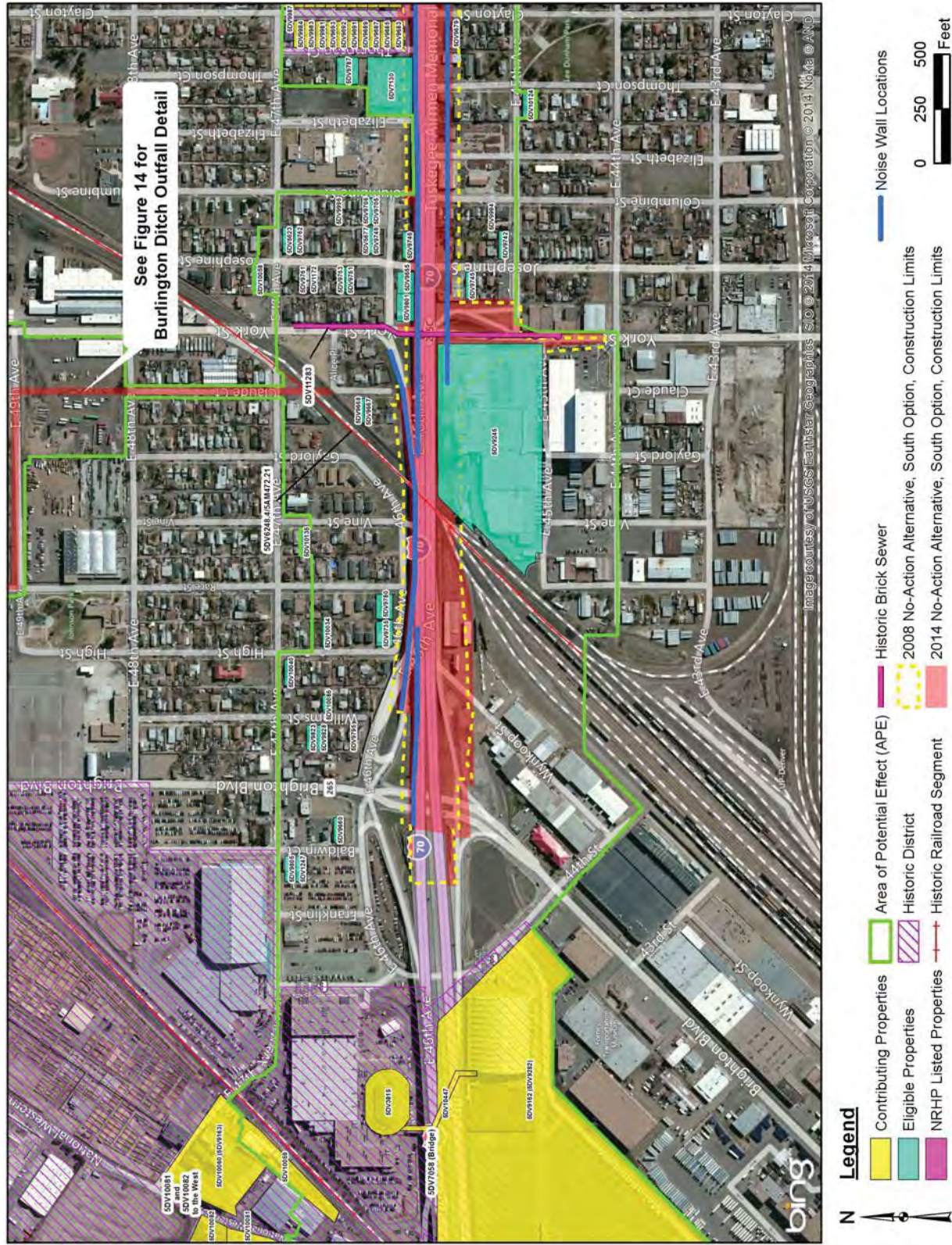
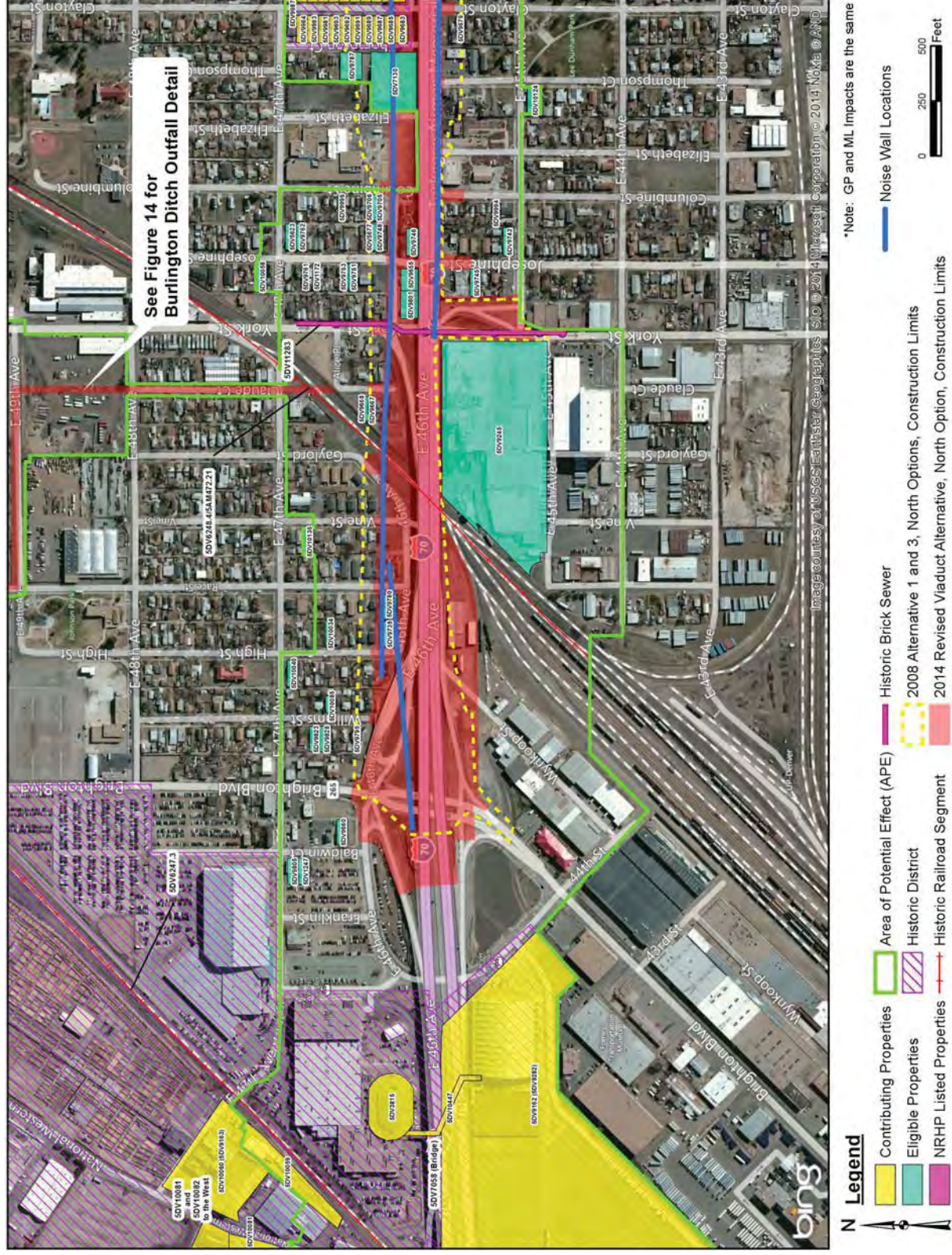








Figure 8. Revised Viaduct Alternative, North Option (Brighton Boulevard to Clayton Street)





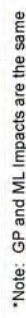




Figure 10. Revised Viaduct Alternative, South Option (Brighton Boulevard to Clayton Street)

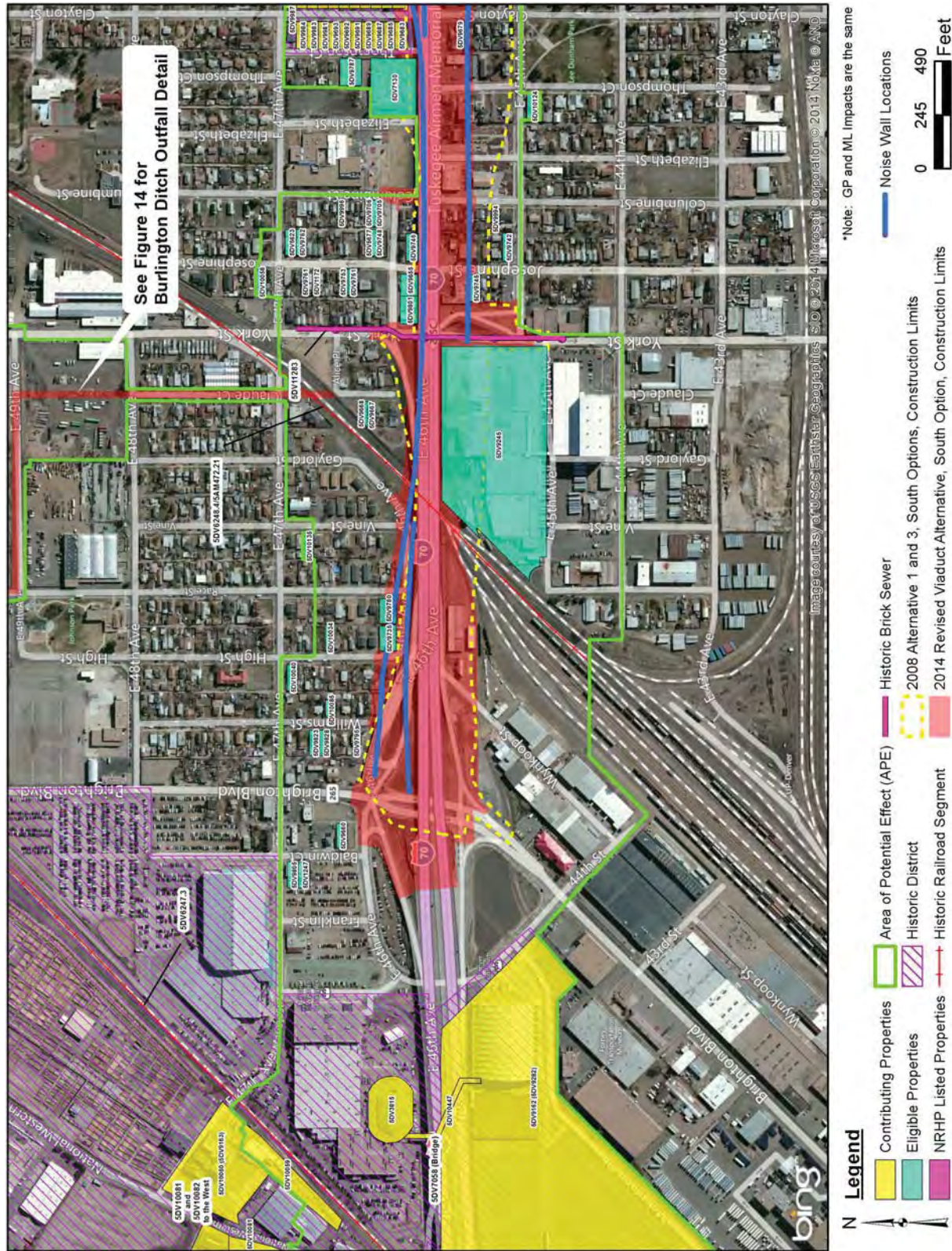
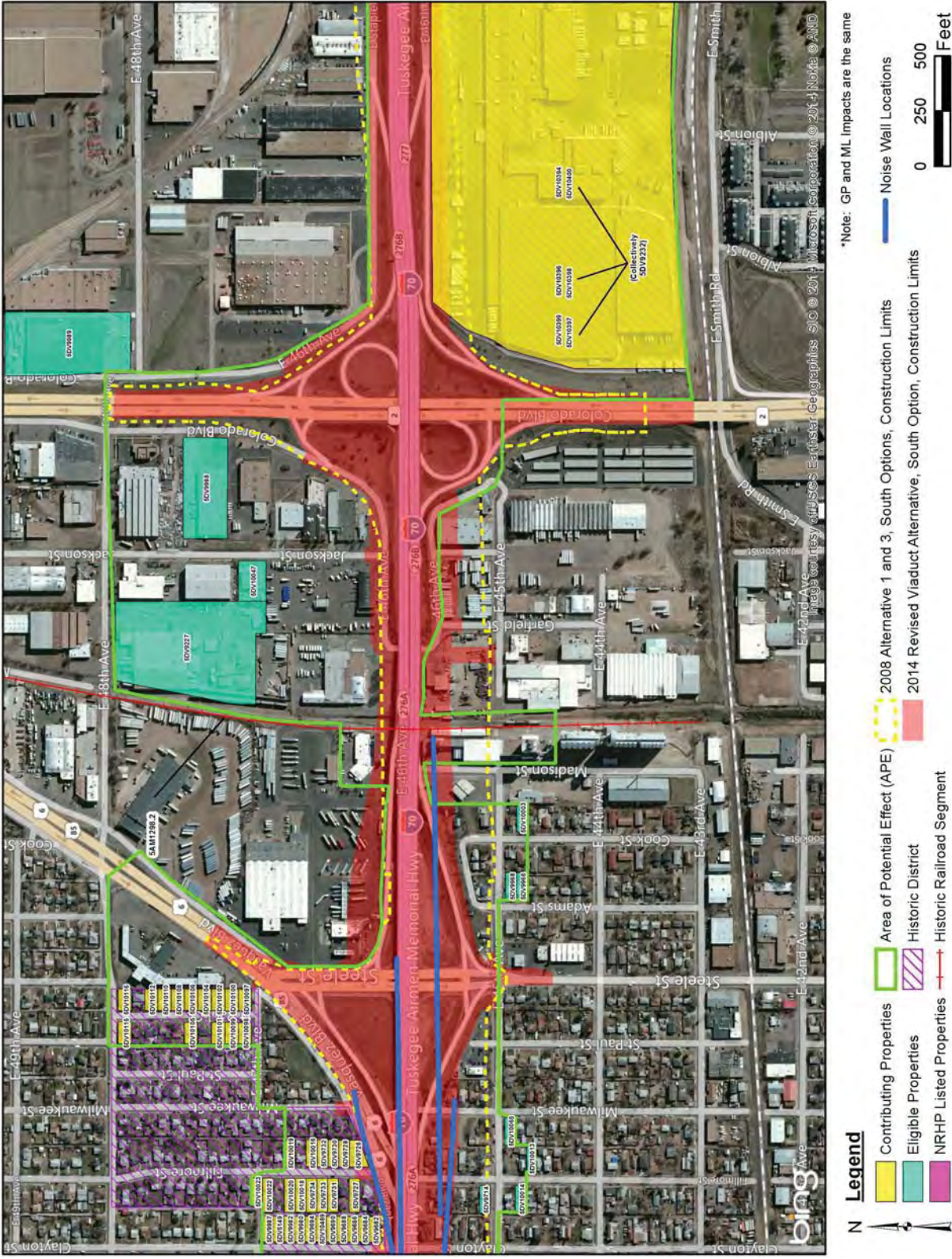




Figure 11. Revised Viaduct Alternative, South Option (Clayton Street to Colorado Boulevard)





**Figure 12. Partial Cover Lowered Alternative (Brighton Boulevard to Clayton Street)**

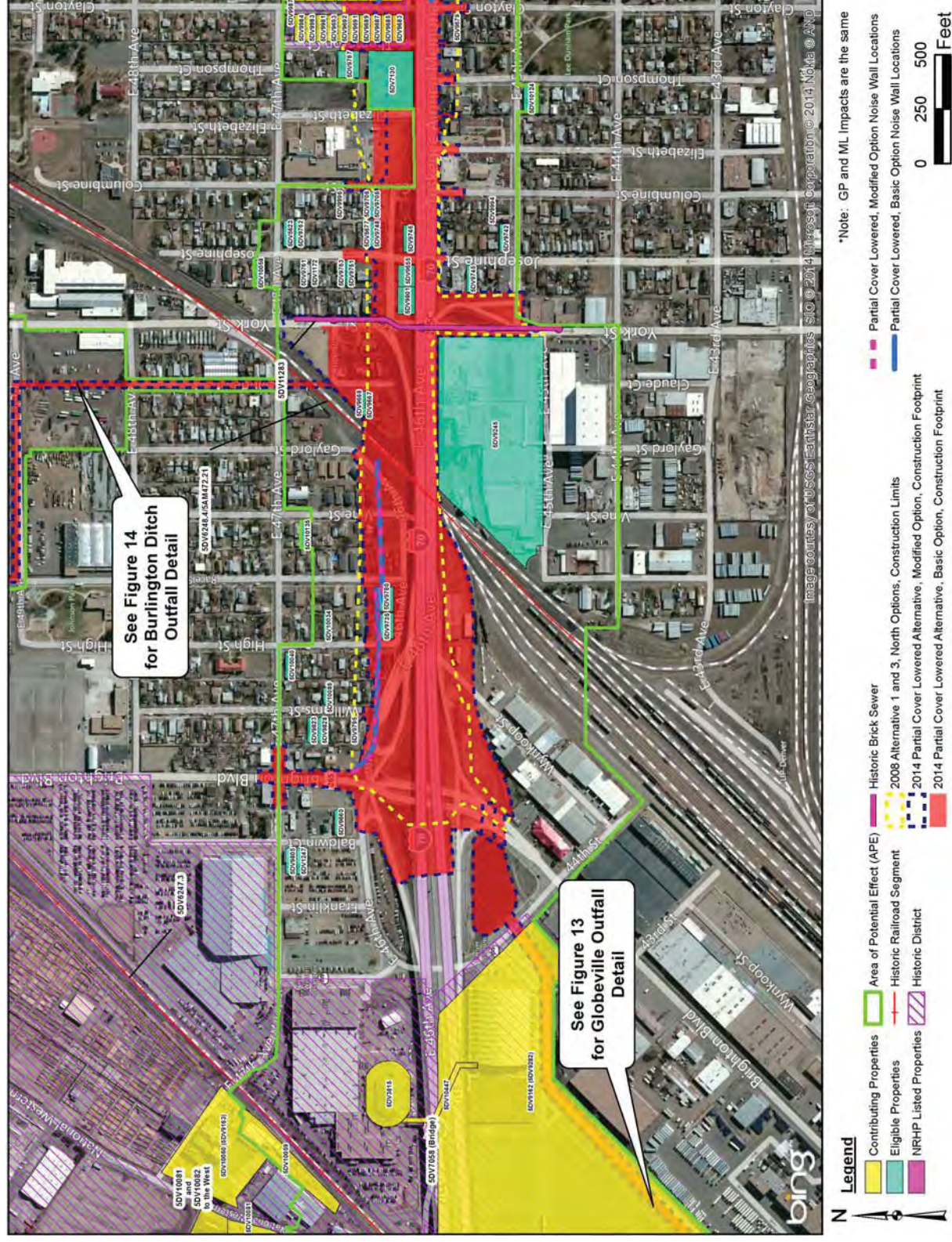




Figure 13. Partial Cover Lowered Alternative, Globeville Outfall Overview

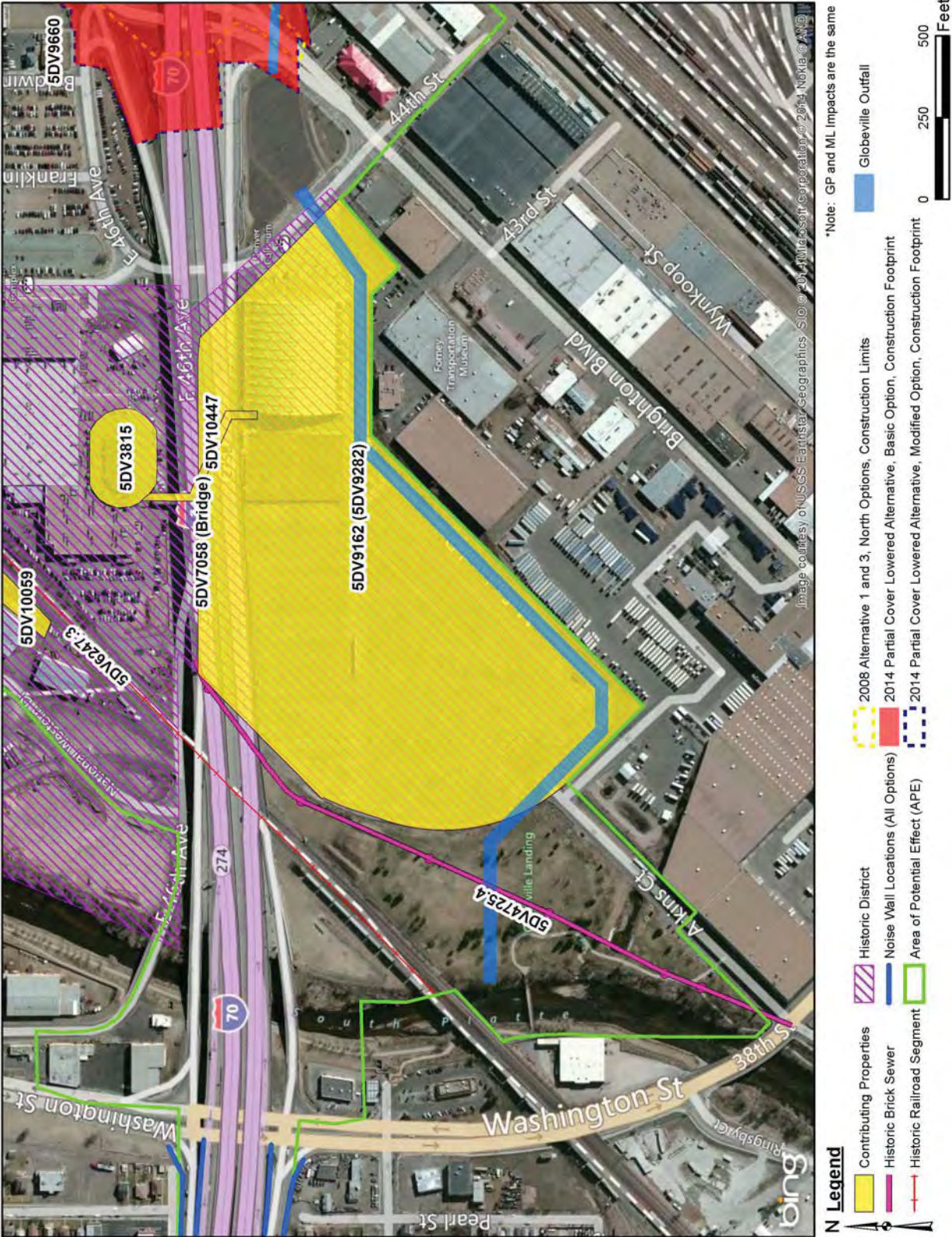
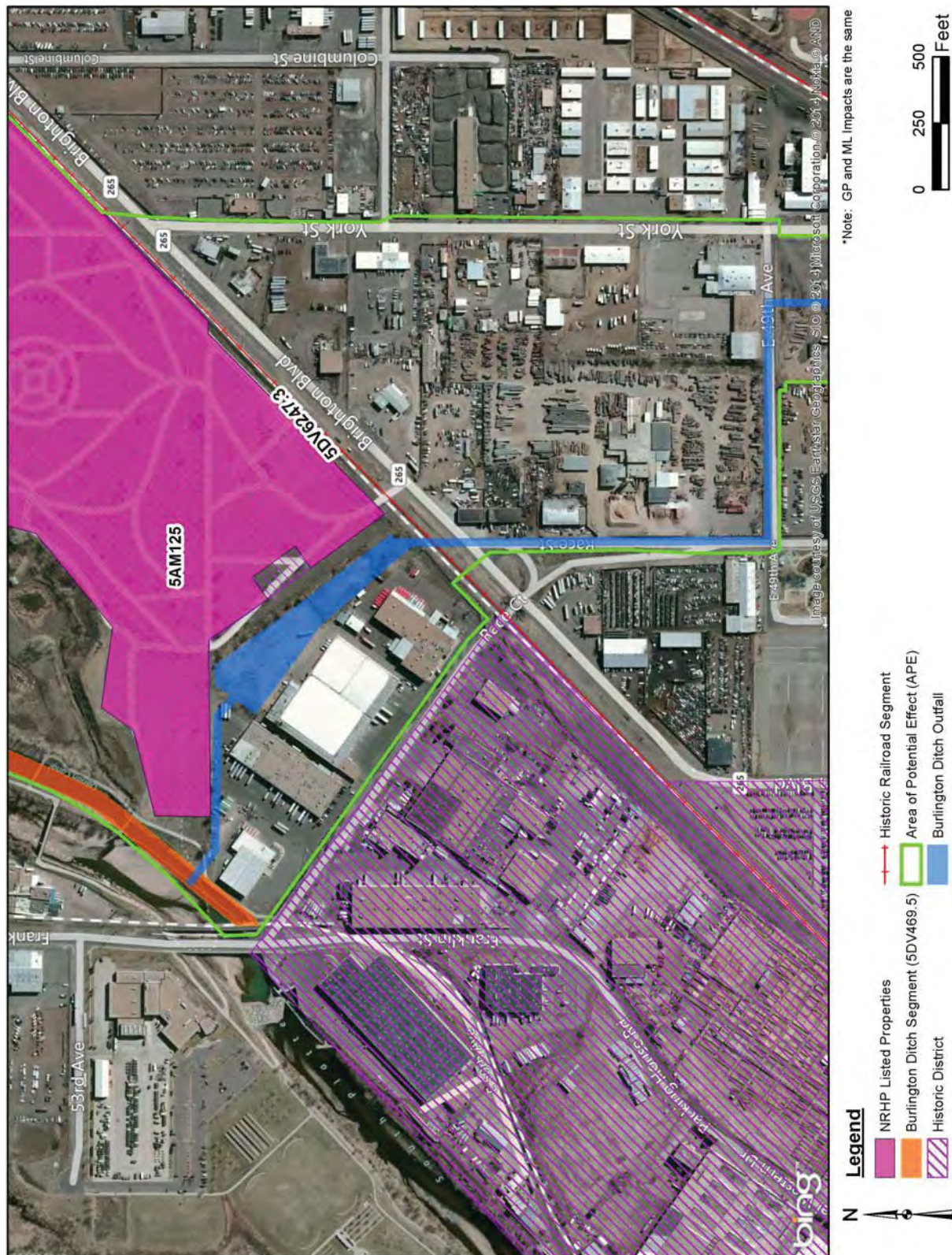


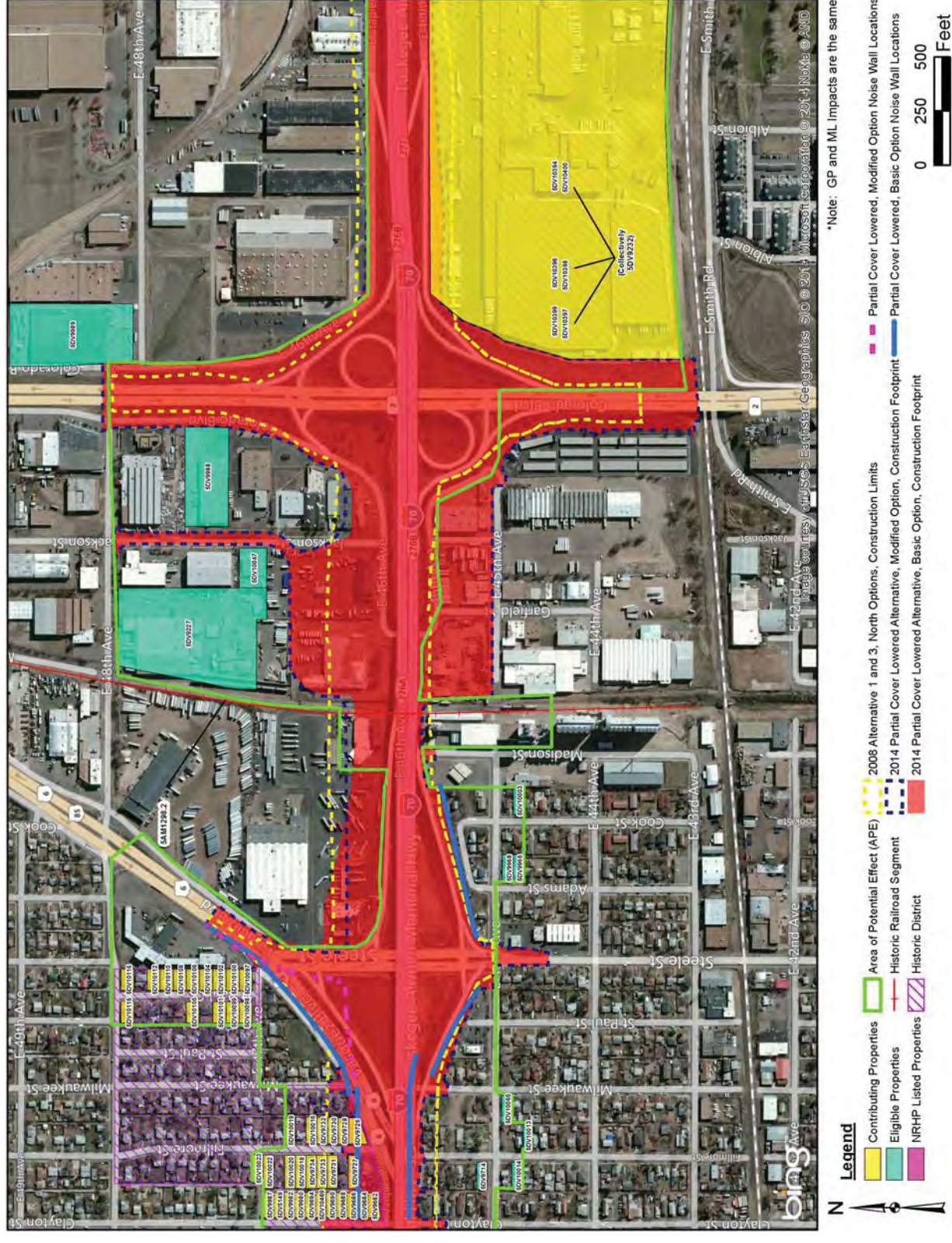


Figure 14. Burlington Ditch Outfall Overview





**Figure 15. Partial Cover Lowered Alternative (Clayton Street to Colorado Boulevard)**



## 2. Summary to Date of Section 106 Consultation

The *I-70 East EIS Section 106 Determinations of Effects* report (CDOT, 2010) solicited comments from the State Historic Preservation Office (SHPO) and consulting parties on the effects of the I-70 East project to historic properties within the project APE. The report was part of the consultation process that was agreed upon by FHWA and SHPO after the agencies determined it would be better to address the Section 106 effect determinations in a document separate from the NEPA documentation.

On February 8, 2010, CDOT convened a meeting of the Section 106 consulting parties to discuss the effects determinations and undertake a site visit of the I-70 East project area in the Elyria and Swansea Neighborhood.

The meeting included the following areas of discussion:

- Additional information on how districts are evaluated as single properties, regardless of the effects to contributing properties in the districts. Districts are considered one historic property within the revised report, but effects to contributing properties within districts are discussed individually, and contributing properties are considered in the totals for properties that would be impacted per alternative.
- A request for an additional table to be inserted into the effects report because the table on page 19 of the January 2010 report only included the number of effects determinations per alternative. As a result, a table with summaries of each effect determination per property by alternative has been included in this submittal and can be found at the end of this report.
- A reminder from Amy Pallante (SHPO) to prepare effects determinations for linear resources, not just the segment.
- Review of the Regional Transportation District (RTD) North Metro plans to locate a new station at the National Western Stock Show, plans for the North Metro rail to be built along Brighton Boulevard, potential impacts to Riverside Cemetery from the RTD action, and the coordination between RTD and CDOT that would be taking place as part of the I-70 East consultation.
- The need to update the Preferred Alternative Collaborative Team on the next steps and Final EIS schedule.
- Discussion of eligibility issues for 5DV9229 (3888 East 44th Avenue), 5DV9654 (2320 East 46th Avenue.), and 5DV9661 (4690 Brighton Boulevard). These issues were addressed by the team, as recorded in the meeting minutes.

CDOT received correspondence from SHPO dated February 17, 2010, with comments on the effects findings in the January 2010 report. No other written correspondence was received, but CDOT received oral comments and e-mail from consulting parties (including the National Trust for Historic Preservation, Historic Denver, Inc., Colorado Preservation, Inc., and the Denver Landmarks Commission).

SHPO's February 17, 2010, correspondence concurred with the recommended determinations of effect, except for the following issues:

- National Western Historic District/5DV10050: SHPO stated that the loss of the Livestock Bridge and Flyover/5DV10447 within the National Register-eligible National Western Historic District boundary as a result of implementation of either Alternative 4 or 6 East would be an **Adverse Effect** under Section 106, as defined in 36 CFR 800.5(a)(2).
- Alfred R. Wessel Historic District/5DV10126: SHPO stated that the loss of the two contributing properties within the National Register-eligible Alfred R. Wessel Historic District boundary under the

No-Action Alternative, North Option would be an Adverse Effect under Section 106, as defined in 36 CFR 800.5(a)(2).

Alternatives 4 and 6 were dropped from further consideration and the destruction of the Livestock Bridge/Flyover would not result from the implementation of any of the alternatives still under consideration.

The No-Action Alternative, North Option in Section 3 would adversely affect two contributing properties within the National Register-eligible Alfred R. Wessel District. CDOT agrees with the determination of **Adverse Effect** for the overall district due to the destruction of two contributing properties.

In 2012, staff from the Mountains/Plains Office of the National Trust for Historic Preservation (NTHP), indicated orally that NTHP would no longer participate as a consulting party and would rely on Historic Denver, Inc., and Colorado Preservation, Inc., to participate in the future consultation. Also in 2012, CDOT asked the Fairmount Heritage Foundation to consider becoming a Section 106 consulting party to represent Riverside Cemetery. The foundation accepted the consulting party invitation in 2013. In mid-2014, the Fairmount Cemetery Company requested to participate as a consulting party.

This report updates the historic survey in the corridor, consisting of re-evaluations of all individually eligible and contributing properties in eligible and listed historic districts, and new recordings of other properties built prior to 1968 (45 years of age or older) in the corridor. This report also updates the effects determinations in the 2010 report based on refinements to the engineering designs, the elimination of the Realignment Alternatives, and the identification of impacts on historic resources from the Partial Cover Lowered Alternative.



### 3. Revised Area of Potential Effect

The APE was formulated to include historic properties and potential historic properties that are more than 45 years old that lie in close proximity to the highway alternative corridors and to identify historic properties that may experience direct or indirect impacts as a result of the alternatives under consideration.

The APE was revised to take into account changes in alternatives that would be studied in the Supplemental Draft EIS. The Realignment Alternatives were eliminated from further consideration after new information gathered during the Preferred Alternative Collaborative Team process showed that the alternatives were unreasonable and did not meet the purpose and need of the project. CDOT is studying a new alternative, the Partial Cover Lowered Alternative, in addition to the No-Action Alternative and Revised Viaduct Alternative. The Partial Cover Lowered Alternative and the Revised Viaduct Alternative include an option with managed lanes on the existing alignment, as well as an option with general-purpose lanes. Therefore, the APE was refined to focus primarily on the current alignment of I-70, with the exception of the routing of two stormwater outfall systems that would discharge into the South Platte River near the Riverside Cemetery and at Globeville Landing Park, as well as the construction of several water quality detention ponds along the current alignment. The APE is wider in the vicinity of the Partial Cover Lowered Alternative and the Revised Viaduct Alternative to take into account any indirect effects that visual changes might have to the historic setting. East of the viaduct, the APE becomes narrower due to the lack of potentially eligible historic properties and because the visual impacts should be less significant. The APE also covers potential noise impacts and is consistent with the area studied for noise impacts. This includes areas where the proposed noise walls would be constructed along uncovered sections of I-70, which might also result in a visual effect for any eligible or listed historic properties or districts.

Portions of historic districts and linear features are contained in the APE boundary, including areas where these resources would be directly or indirectly affected by the project. Though the full extent of historic district boundaries or linear segments may not be included within the APE boundary, impacts to the character of these overall resources, in addition to those individual components directly affected by the project, have been assessed in this effects determination.

The APE encompasses 1,184 acres along the 11.86-mile segment of I-70 from I-25 to Tower Road. The APE boundary is bordered on the west primarily by the South Platte River, with the exception of a building surveyed between Washington Street and the South Platte River at what could be considered the southwest corner of the survey. The southern boundary encompasses the Denver Coliseum and Globeville Landing Park and generally follows East 45th Avenue east through the established neighborhood of Elyria and Swansea. The northern portion of the APE is bounded on the north by East 47th Avenue, but includes the Riverside Cemetery and the 4700 block of St. Paul Court. East of Vasquez Boulevard, the APE is bounded on the north by East 48th Avenue and on the south by Smith Road or Stapleton Drive, just south of I-70. The far eastern boundary of the survey is located at I-70 and Tower Road. East of I-270, there are only two areas within the APE and adjacent to the highway that have historic resources: the Union Pacific Railroad Segment (5DV7048.2) at Havana Street (Section 4a) and the High Line Canal at Tower Road (5AM261.2) (Section 4b).

The APE includes portions in Denver, Commerce City, Aurora, and Adams County. The greatest density of historic resources occurs in the area east of the I-25/I-70 Interchange and along Brighton Boulevard. The area covers established neighborhoods on the west end of the corridor, including Globeville, Elyria and Swansea, Cole, Clayton, and Northeast Park Hill. Adding to the complexity of this part of the project area is the presence of the National Western Historic District as a major destination and redevelopment site. Areas with few or no historic resources east of the I-70/I-270 Interchange include the emerging residential and commercial areas of Stapleton (formerly Stapleton International Airport) and the Montbello, Green Valley Ranch, and Gateway neighborhoods. These communities along the I-70 corridor are diverse in their character and history, providing a wide variety of residential, commercial, public, and institutional land uses.

Refinements to the project design required three separate consultations with SHPO and the consulting agencies between 2012 and 2014 to establish the current APE, as described below.

- 2012 Consultation: The APE was revised in 2012 to take into account changes in the alternatives that are being studied in the Supplemental Draft EIS. These changes were described in correspondence dated December 27, 2012, from CDOT to SHPO and consulting parties (Appendix A). SHPO did not object to the APE in correspondence dated January 4, 2013 (Appendix B). The consulting parties, as noted below, also responded (Appendix C):
  - Denver Landmark Preservation Commission responded via letter, dated January 18, 2013
  - Historic Denver, Inc., responded via letter, dated January 31, 2013
- 2013 Consultation: The APE was modified in the area of Gaylord Street, between East 46th Avenue and East 47th Avenue, because of the potential need to realign a railroad line and—near Riverside Cemetery—to include a portion of the Burlington Ditch/O'Brien Canal to account for stormwater outfall piping. These changes were described in correspondence dated October 24, 2013, from CDOT to SHPO and consulting parties (Appendix D). SHPO concurred with the recommended APE revision in a letter dated November 7, 2013 (Appendix E). The consulting parties, as noted below, also responded (Appendix F):
  - Denver Landmark Preservation Commission responded via letter dated October 28, 2013
  - Colorado Preservation, Inc., responded via e-mail dated October 30, 2013
  - Fairmount Heritage Foundation responded via e-mail dated November 19, 2013
  - Historic Denver, Inc., responded by telephone on November 27, 2013
- 2014 Consultation: The APE was slightly refined around Globeville Landing Park, as described in correspondence dated December 19, 2013, from CDOT to SHPO and consulting parties (Appendix G). SHPO responded with questions on the APE modification on January 7, 2014 (Appendix H) and CDOT responded to SHPO and the consulting parties on January 30, 2014 (Appendix I). SHPO concurred with the recommended APE revision in a letter dated February 14, 2014 (Appendix J). Two of the consulting parties, as noted below, responded (Appendix K):
  - Denver Landmark Preservation Commission responded via e-mail dated February 11, 2014
  - Colorado Preservation, Inc., responded via e-mail dated February 13, 2014

## 4. Major Historic Themes of Significance

Because there are no known prehistoric archaeological resources in the APE, the following historic context covers only the historic period. The historical context presented in the 2007 *I-70 East Cultural Resources Survey Report* is still applicable to the project area. Please refer to that report for more details on the major historical themes and contexts within the project area. A summary of major themes is provided here, including transportation and industrial/urban development, as well as significant architectural types and styles.

### 4.1. Transportation: Railroad, interstate highway, and local streets

Before I-70 was built, East 46th Avenue was one of the most congested routes in the city. Several uses merged together in the area to make it a bottleneck, including at-grade railroad crossings, large industrial facilities, residential neighborhoods, and commercial businesses. The highway department chose the East 46th Avenue to East 48th Avenue corridor for the interstate, forever changing the development and settlement patterns of the Elyria and Swansea Neighborhood and setting the stage for the current environmental study to determine the best way to replace the viaduct and minimize further disruptions to the neighborhood.

Railroads are a significant theme in Denver history. They served as links to markets beyond Denver. In the project APE, a number of historic railroads connected Denver to Cheyenne, Wyoming; Kansas City, Missouri; and markets beyond.

### 4.2. Industrial/urban development

The proximity of the Elyria and Swansea Neighborhood to downtown Denver is an important theme in the area's development. The town of Elyria grew out of the smelters that processed minerals, which became a dominant industry in Colorado in the 1860s and 1870s. During this time, Denver and its suburbs grew rapidly, experiencing a population increase of almost 50,000 people between the 1870 federal census and the 1885 Colorado census. When the Kansas Pacific and Denver Pacific Railroads were completed, several centers of industry—including smelters and packing plants—were built in the northern areas of Denver (Smiley et al., 1901). These smelters and packing plants, and the communities that grew around them, formed the nucleus of some of Denver's oldest suburbs, including Argo and Globeville to the west of the Platte River and Elyria and Swansea to the east. In 1881, A.C. Fisk of the Denver Land and Improvement Company platted Elyria, which is located approximately four miles north of the present location of the State Capitol building. Fisk sought to develop housing in the area that would serve the "wage-workers" of Denver (MacMillan, 2003). Elyria was platted with its own street names, which then were changed to match greater Denver street names after Elyria's annexation into Denver in 1904.

Elyria's incorporation in 1890 brought about a number of developments. The Denver Water Company laid pipe and erected hydrants in 1891. The Denver Consolidated Electric Company constructed and maintained 14 street lights, which operated on carbon sticks that were "turned on" each night. While these provided adequate street lighting, most of Elyria's homes during this time remained without electricity. The Metropolitan Railroad Company established a trolley track that ran down Fisk Avenue (now East 47th Avenue), from Cline Street (Lafayette Street) to 2<sup>nd</sup> Street (Josephine Street) and down Estes Street (Race Street) to Riverside Cemetery (located at what is now 5201 Brighton Boulevard). Marshals and magistrates were established to maintain law and order in Elyria, and a volunteer fire company operated out of a newly constructed City Hall building located at the corner of Fisk Avenue (East 47th Avenue) and Laundon Street (Brighton Boulevard). Elyria School was built at Fisk Avenue (East 47th Avenue) and Marshall Street (High Street). The City Hall building (demolished in 1940) and the Elyria School building, among several others, would become some of the most prominent buildings in Elyria history.

The numerous surrounding railroads have always had an influence on the Elyria, Globeville, and Swansea communities. Elyria and Swansea are surrounded on nearly all sides by railroad tracks, which served an

integral role in the development of the area and also presented residents with significant daily challenges. The railroad tracks were owned and operated by several different railroad companies over the years, and served area business and industry—from the Denver Union Stockyards (now National Western Historic District) to the smelters and packing plants—all of which were the prime source of employment for residents. The surrounding railroad tracks, in combination with the socioeconomic status of residents in Elyria and Swansea, caused the neighborhood to remain relatively isolated from neighboring communities, such as Globeville, Argo, and Denver.

In addition to the smelters, stockyards, packing plants, and railroads, sources of employment for area residents in the late 1800s included the Stock Exchange Building, located on the National Western Historic District property; the Purina Flour Mill, located south of East 46th Avenue (now I-70) at York Street; The Rocky Mountain Paper Company; Eaton Metal; Colorado Serum Company; Denver Serum Company; Brannan Sand and Gravel Company; Colorado Iron Works; Western Merchants Warehouse; Fire Clay Company; Zang Brewery; Whiting Cutlery and Knife; a pickle factory; and a biscuit factory.

Between the late 1800s and early 1900s, the towns of Globeville, Elyria, and Swansea were made up primarily of immigrants from Germany, England, Scotland, Ireland, Canada, and Scandinavia, among other regions. There were four African-American families listed in the census of 1900, but no families of Asian, Latino, or American Indian descent.

### 4.3. Architectural styles

Some of the predominant architectural styles and types of buildings that occur throughout the project area, which are recommended as individually eligible for the NRHP, include:

- Denver Terrace: One- to two-story brick buildings with flat roofs and corbelled cornices
- Late-Victorian Vernacular Style, including some with Queen Anne Massing: One- to one-and-one-half-story brick buildings with steep-pitched full front gables and overhanging eaves, decorative shingles, and detailed brick work
- Classic Cottage: One-and-one-half-story brick buildings with a central dormer, steep-pitched hipped roof, and thick porch posts
- Bungalow Type: One-story, rectangular plan with a side-gabled roof, constructed of brick with exposed rafter ends, large front porch with battered piers, and overhanging eaves
- 20th Century Minimal Traditional Styles: One-story, rectangular plan with a cross-gabled roof and horizontal siding cladding
- 20th Century Modern Buildings, International Style: Commercial buildings with International-style features, such as horizontal lines, linear composition, alternating bands of windows and solid panels, smooth exteriors, unornamented surfaces, flat roofs, and rows of block windows

## 5. Summary of Revisitations and New Eligibility Determinations

In total, 129 resources were surveyed as part of the Supplemental Draft EIS re-evaluation effort. These included revisitation forms for all resources identified in the 2007 survey effort that were determined to be officially eligible or contributing to a historic district and located within the current APE. In addition, full architectural inventory forms were prepared for resources that were not included in the previous survey, those that became 45 years old since the prior survey effort, or those that had different eligibility determinations based on field surveys. No new properties were found to meet the criteria for listing in the National Register. The eligibility of the surveyed resources was addressed in a report consulted on in April 2013 to June 2013, followed by separate consultations through the spring of 2014 to address the eligibility of additional properties as the project design and APE were refined.

CDOT requested comments from SHPO and the consulting parties on the eligibility determinations in correspondence dated April 26, 2013 (Appendix J). In correspondence dated May 28, 2013, SHPO concurred with the recommended findings (Appendix K). SHPO corrected a mistake on the site form for one resource, 5DV3815, the Denver Coliseum, which was determined eligible because it is a contributing resource within an eligible historic district. The other Section 106 consulting parties did not submit comments on the eligibility determinations, although a meeting between CDOT, SHPO, consulting parties, and project consultants was held at Riverside Cemetery on June 5, 2013, to discuss the findings of eligibility. Though no formal comments were submitted, the consulting parties were active in the consultation process.

CDOT requested comments from SHPO and the consulting parties on five resources in correspondence dated October 24, 2013 (Appendix D). SHPO concurred with the recommended findings in correspondence dated November 7, 2013 (Appendix E). The consulting parties provided comments agreeing with the recommended findings (Appendix F).

CDOT requested comments from SHPO and the consulting parties on one resource in correspondence dated December 19, 2013 (Appendix G). SHPO concurred with the recommended finding in correspondence dated January 7, 2014 (Appendix H). The consulting parties provided comments agreeing with the recommended findings (Appendix K).

## 6. Summary of Effect Determinations

Cultural resources documented during the survey of the APE include 122 eligible and contributing properties consisting of 59 individually eligible properties, including both residential and commercial buildings and linear properties (five railroads, two sewers, and two irrigation ditches). In addition, there are four listed or eligible historic districts (Table 2). Documentation regarding effects correspondence is included in Appendixes N to P.

**Table 2. Historic districts**

Historic District	Number of Contributing Resources
Riverside Cemetery Historic District	12 contributing resources
National Western Historic District	8 contributing resources
Safeway Historic District	6 contributing resources
Alfred R. Wessel Historic District	49 contributing resources

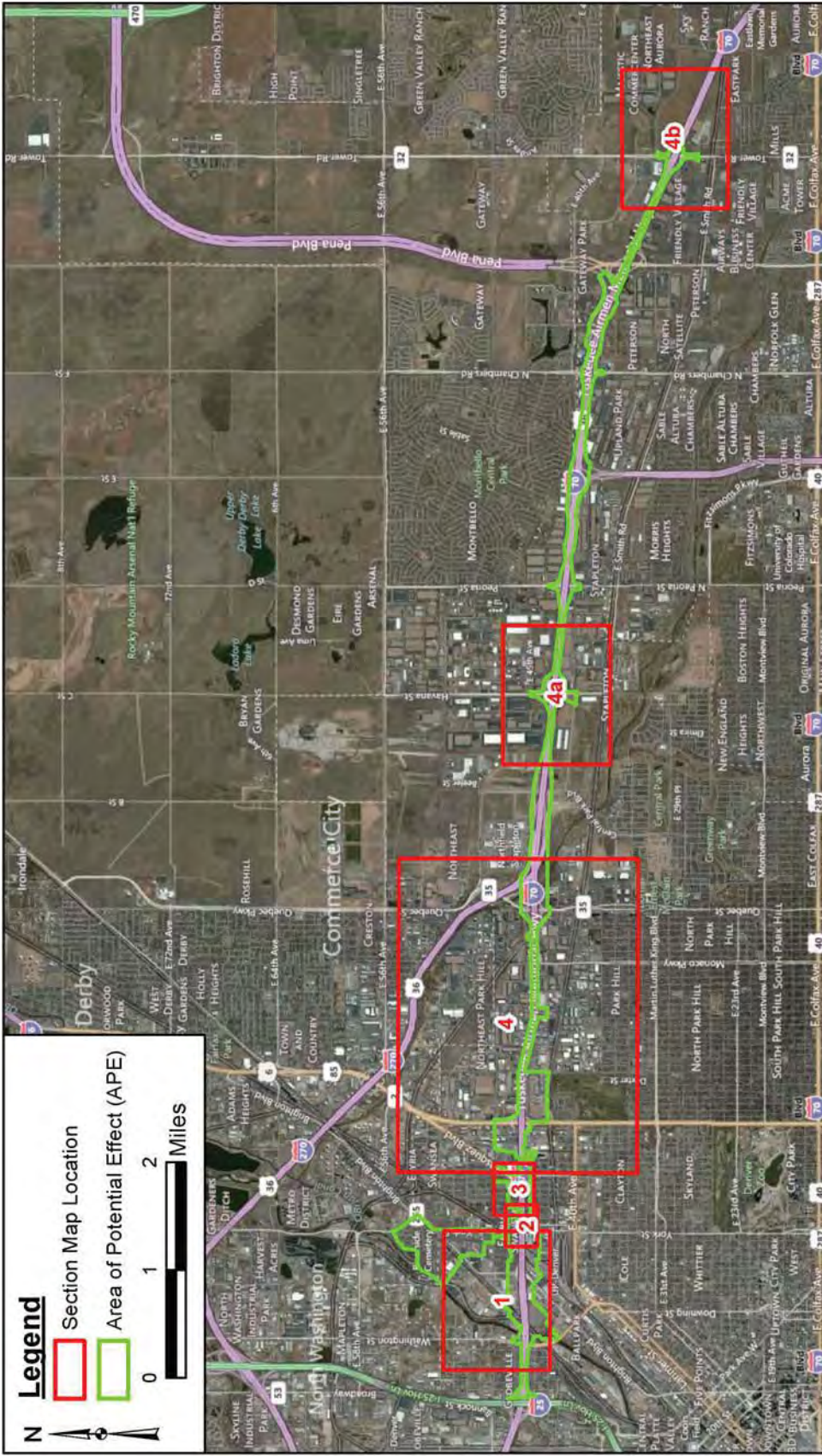
The density of historic resources along the I-70 alignment required dividing the effect determinations according to section, as described below.

- **Section 1:** Located between I-25 and the location where the Union Pacific Railroad crosses I-70. It is bounded on the north by East 48th Avenue and on the south by the Denver Coliseum, which is part of the National Western Historic District. It also includes Riverside Cemetery Historic District.
- **Section 2:** Located east of where the UPRR crosses I-70, ending west of Thompson Court. It is part of the Elyria and Swansea Neighborhood and is a mix of commercial, industrial, and residential uses. It includes the Nestlé Purina PetCare Company on York Street, the Colonial Motel on East 46th Avenue and Elizabeth Street, two businesses, numerous residential properties, and one railroad segment that supports the eligibility of the overall linear resource. All of the historic properties in this section are eligible as individual properties.
- **Section 3:** Located between Thompson Court on the west and the western boundary of the Market Street Railroad/Chicago, Burlington & Quincy Railroad (5AM1298.2), at approximately Monroe Street, on the east. It includes 49 contributing resources in the Alfred R. Wessel Historic District and individually eligible residential properties to the south of I-70.
- **Section 4:** Includes commercial properties but no residential properties north and south of I-70. The western boundary is the Market Street Railroad (5AM1298.2) at Monroe Street and the eastern boundary is Tower Road and I-70. Section 4a includes the UPRR (former Rocky Mountain Arsenal Railroad) line at I-70 and Havana Street. Section 4b includes the High Line Canal at I-70 and Tower Road.
- **Section 5:** The boundaries formerly included the Realignment Alternatives and portions of I-70 east of I-270. After the Realignment Alternatives were dropped from analysis, Section 5 was eliminated, since none of the alternatives still under consideration traverse this area.

An overview of the sections is shown in Figure 16 and details are shown in Figure 17 through Figure 22. Individual assessments of effect are organized by Section, contained in Chapter 6, Section 6.1 to Section 6.4 of this document.



Figure 16. Historic properties section index



Each section is organized as follows:

- 1) Description of existing setting of the section
- 2) Description of the alternatives in the section
- 3) Brief summaries of individually eligible resources, then a description of the effects by alternative and options with the Section 106 effect determination. For each resource, the direct and indirect effects are evaluated by alternative and option. Direct effects include those impacts that occur at the same time as the action, such as the acquisition and demolition of a building. Indirect effects include those impacts that are caused by the action, but can be further removed in distance and are often characterized by visual or audible intrusions. Indirect effects for visual and noise were evaluated due to the potential for the undertaking to affect the character-defining features and aspects of integrity for a resource. In the analysis of potential indirect effects, the alteration of conditions was evaluated relative to the period of significance for each resource. For the visual analysis, the team evaluated the effects from the replacement or removal of the viaduct, the addition of the proposed noise walls, and the demolition or removal of other properties related to the period of significance of the resource. The noise analysis utilized information from the Traffic Noise Technical Report (CDOT, 2014) to evaluate potential noise effects related to the period of significance for the resource.
  - No-Action Alternative
    - No-Action Alternative, North Option
    - No-Action Alternative, South Option
  - Revised Viaduct Alternative
    - Revised Viaduct Alternative, North Option
    - Revised Viaduct Alternative, South Option
  - Partial Cover Lowered Alternative
    - Partial Cover Lowered Alternative, Basic and Modified Options

Table 3 summarizes the number of effects by alternative/option and section.

For a discussion of cumulative effects, please refer to Chapter 7 of this document.

**Table 3. Summary of effect findings for all alternatives**

Section	Effect Finding	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative	
		North Option	South Option	North Option	South Option	Basic Option	Modified Option
Section 1	Adverse effect	2	0	2	2	3	3
	No adverse effect	12	14	13	13	14	14
	No historic properties affected	4	4	3	3	1	1
Section 2	Adverse effect	4	5	4	2	7	7
	No adverse effect	21	20	21	23	18	18
	No historic properties affected	0	0	0	0	0	0
Section 3	Adverse effect	1	0	1	3	1	1
	No adverse effect	9	10	9	7	9	9
	No historic properties affected	0	0	0	0	0	0
Section 4 <sup>1</sup>	Adverse effect	0	0	1	1	2	2
	No adverse effect	5	5	8	8	7	7
	No historic properties affected	5	5	1	1	1	1
<b>Totals</b>							
All sections	Adverse effect	7 <sup>2</sup>	5 <sup>2</sup>	8 <sup>2</sup>	8 <sup>2</sup>	13 <sup>2</sup>	13 <sup>2</sup>
	No adverse effect	47	49	51	51	48	48
	No historic properties affected	9	9	4	4	2	2
	Total	63	63	63	63	63	63

<sup>1</sup> Includes Section 4a and 4b

<sup>2</sup> Total includes adverse effect to entire historic district and demolished contributing properties



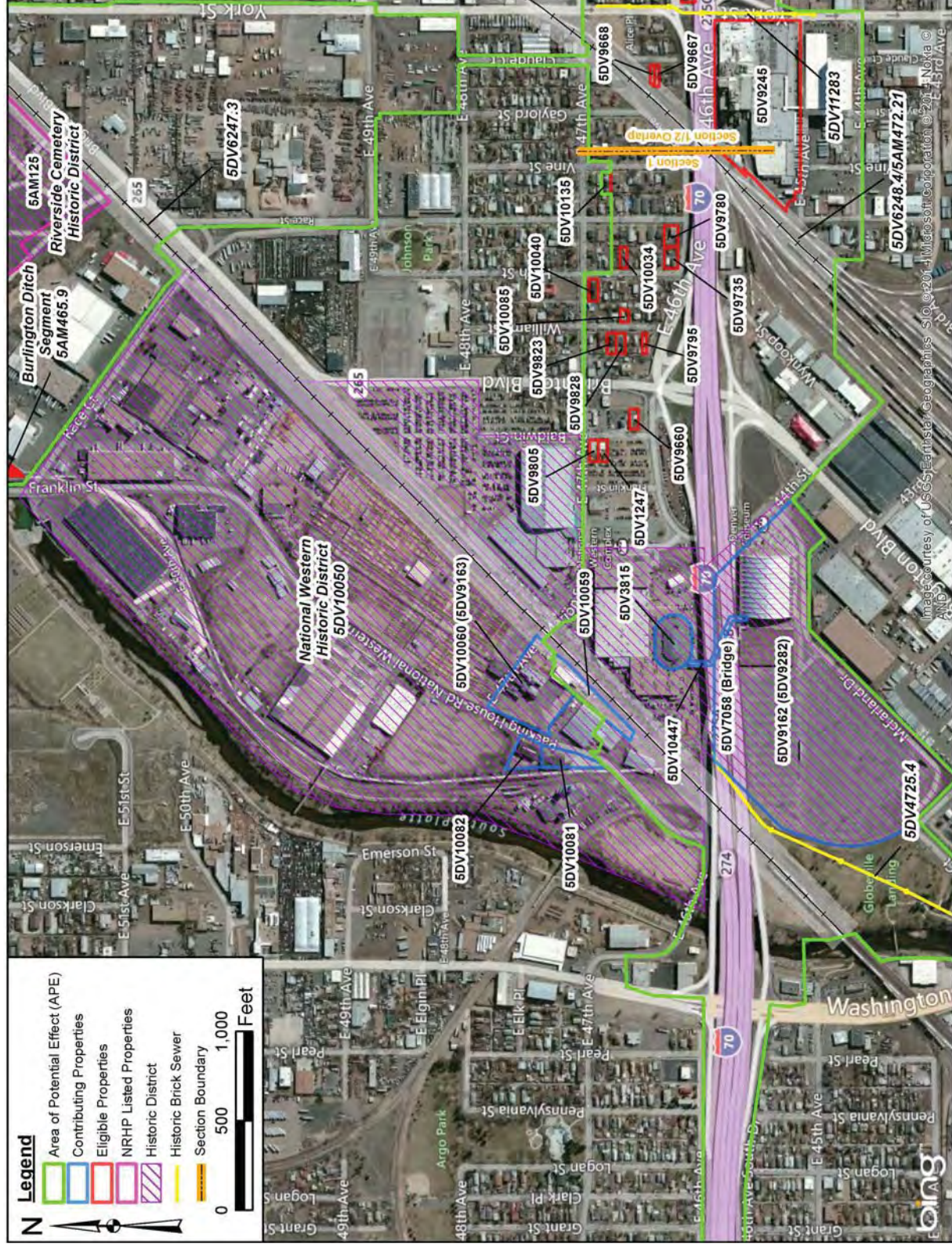
## **6.1. Section 1**

Section 1 of I-70 is located between I-25 and the Union Pacific Railroad. It is bounded on the north by East 48th Avenue and on the south by the Denver Coliseum, which is part of the National Western Historic District. Figure 17 shows the locations of all historic resources within Section 1.

### **6.1.1. Description of existing setting for Section 1**

This section, which is the western terminus of the I-70 East project, is dominated by the National Western Historic District, located on both sides of I-70. It extends to the northeast on both sides of National Western Drive, ending at Race Court. The western boundary of the district is the South Platte River, and the eastern boundary of the district is marked by Humboldt Street, Baldwin Court, and Brighton Boulevard (see Figure 17 for more detail). The APE for Section 1 changed since the 2010 report due to the elimination of the Realignment Alternatives along Brighton Boulevard. Properties along Brighton Boulevard and east of the National Western Historic District in the Elyria and Swansea Neighborhood were excluded from the new APE boundaries because they were no longer going to be subject to direct or indirect effects based on their distance from the existing alignment of I-70. The APE still includes Riverside Cemetery because a stormwater drainage system would be constructed on the southwestern edge of the cemetery.

### Figure 17. Section 1 historic properties





### 6.1.2. Section 1 alternative descriptions

#### No-Action Alternative

The refinement of engineering designs, combined with the placement of East 46th Avenue beneath the viaduct, would decrease the width of the viaduct constructed for the No-Action Alternative compared with the design evaluated in the 2008 Draft EIS.

Two options exist for reconstructing the viaduct: shifting immediately to the north (No-Action Alternative, North Option) or immediately to the south (No-Action Alternative, South Option). The No-Action Alternative would realign off- and on-ramps at Brighton Boulevard, York Street, and Steele Street. The proposed improvements would keep the lane configuration the same, with six general-purpose lanes (three in each direction) and a total width of approximately 140 feet for the viaduct. An offsite drainage system would convey stormwater runoff from the I-70 facility north along Claude Court, west along East 49th Avenue, and north along Race Street, to the southwestern edge of Riverside Cemetery.

#### Revised Viaduct Alternative

In Section 1, the revised viaduct with additional lanes was redesigned to total 197 feet in width, including westbound and eastbound East 46th Avenue underneath the viaduct. For the section of I-70 between Brighton Boulevard and the Union Pacific Railroad, the revised viaduct would be approximately 85 feet wider than the existing viaduct to include shoulders and sidewalks on either side of the viaduct along East 46th Avenue. This width includes the reconstruction of the Brighton Boulevard Interchange associated with the replacement of the viaduct starting at this point, plus widening of the facility to bring it up to current American Association of State Highway and Transportation Officials (AASHTO) standards. An offsite drainage system would convey stormwater runoff from the I-70 facility north along Claude Court, west along East 49th Avenue, and north along Race Street, to the southwestern edge of Riverside Cemetery.

Visual effects include an increase in the visible mass of the highway itself, plus the visual mass of the proposed 12- to 14-foot-high noise walls. Within Section 1, there are several residences where noise mitigation is recommended because current noise levels are above the Noise Abatement Criteria (NAC) threshold identified in CDOT's *Noise Analysis and Abatement Guidelines* (updated in 2013). To minimize noise impacts on the adjacent neighborhoods, the proposed noise walls would be incorporated with the design of the Revised Viaduct Alternative.

The Revised Viaduct Alternative options would both have the same impacts to historic resources within Section 1.

#### Partial Cover Lowered Alternative

The Partial Cover Lowered Alternative removes the viaduct and reconstructs the highway below the existing ground level. This alternative also includes a cover over the highway between Clayton Street and Columbine Street.

The highway would start descending just west of Brighton Boulevard to reach the maximum depth of approximately 40 feet below ground level just east of the Union Pacific Railroad (5DV6248.4, near the Nestlé Purina PetCare Company) to accommodate the railroad crossing above the highway. The remaining portion of the lowered section has a depth of approximately 26 feet below grade. An offsite drainage system would convey stormwater runoff from the I-70 facility north along Claude Court, west along East 49th Avenue, and north along Race Street, to the southwestern edge of Riverside Cemetery. In addition, an outfall would be constructed through the Coliseum parking lot and Globeville Landing Park to capture surface runoff that currently flows south to north to prevent the lowered portion of I-70 from flooding.

The widening of I-70 associated with the Partial Cover Lowered Alternative would occur to the north of the existing alignment and result in the location of the highway moving approximately 350 feet closer to the properties on the north than the existing viaduct is currently. Widening to the south is not possible because of the locations of the Union Pacific rail yard and the Nestlé Purina PetCare Company south of I-70.

Noise levels would be reduced for the Partial Cover Lowered Alternative when compared with the No-Action Alternative and Revised Viaduct Alternative because a portion of the facility would be below ground level and covered.

Lowering I-70 and removing the existing viaduct between Brighton Boulevard and Colorado Boulevard also would eliminate a dominant skyline obstruction. The visual presence of the highway would be decreased in this area, to be replaced by the gradual lowering of the highway underneath the cover.

### 6.1.3. NRHP-eligible properties and effects in Section 1

The following section includes brief summaries of NRHP-eligible or listed districts and contributing resources, linear resources, and architectural resources. A detailed explanation regarding the effects is provided after the resource discussion. A summary of effects in Section 1 is included in Table 10 at the end of this document.

For a discussion of cumulative effects related to the following resources and alternatives, please refer to Chapter 7 of this document.

#### Riverside Cemetery, 5201 Brighton Boulevard (5AM125)

Riverside Cemetery is listed on the NRHP. It is located along the east edge of the South Platte River, north of I-70. Established in 1876, Riverside is Denver's oldest existing cemetery and is the final resting place for a number of Denver's pioneers, including three governors and several other people of significance in Colorado history. Because of its association with the social history of Denver, the resource is significant under Criterion A. Riverside also is significant for its landscape architecture and funerary art, representative of the late 19th and early 20th centuries. As a result, the resource is significant under Criterion C and D as well.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The No-Action Alternative, North Option would include an outfall system with ponds and drainage infrastructure on the north side of I-70 that would capture overland flooding and improve drainage issues in the neighborhoods. The offsite drainage system would capture offsite water runoff. The system would convey stormwater runoff from the I-70 facility north along Claude Court, west along East 49th Avenue, and north along Race Street, to the southwestern edge of Riverside Cemetery. The drainage system would not be constructed within the historic district boundaries of the cemetery, so there would be no direct effect to the resource. The modified viaduct represents a larger visual presence in the greater setting of the resource, however, the viaduct would not be visible from the resource as it is located nearly 3,200 feet from the Interstate and multiple commercial and residential buildings as well as roads are located between the resource and the Interstate. The construction of this alternative would not diminish the ability of the resource to convey its significance under Criterion A, C, or D, since setting elements in the larger surrounding area would not change the existing features of the resource that qualify it for inclusion on the NRHP. The construction of a stormwater drainage system near the cemetery may temporarily result in an increase in noise and a change in the visual setting at the outfall location; however, these changes are temporary and would only exist during construction, and would not impact any of the character-defining features of the cemetery, nor would it diminish the ability of the resource to convey significance under Criterion A, C, or D, nor its ability to function in its current capacity. Therefore, CDOT has determined that the No-Action Alternative, North Option would result in the determination of **No Adverse Effect** for Riverside Cemetery.
- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**



- **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would include an outfall system with ponds and infrastructure on the north side of I-70 that would capture overland flooding and improve drainage issues in the neighborhoods. The offsite drainage system would capture offsite water runoff. The system would convey stormwater runoff from the I-70 facility north along Claude Court, west along East 49th Avenue, and north along Race Street, to the southwestern edge of Riverside Cemetery. The drainage system would not be constructed within the historic resource boundaries of the cemetery, so there would be no direct effects to the resource. The revised viaduct represents a larger visual presence in the greater setting of the resource, however, the viaduct would not be visible from the resource as it is located nearly 3,200 feet from the Interstate and multiple commercial and residential buildings as well as roads are located between the resource and the Interstate. The construction of this alternative would not diminish the ability of the resource to convey its significance under Criterion A, C, or D, since setting elements in the larger surrounding area would not change the existing features of the resource that qualify it for inclusion on the NRHP. The construction of a stormwater drainage system near the cemetery may temporarily result in an increase in noise and a change in the visual setting at the outfall location; however, these changes are temporary and would only exist during construction, and would not affect any of the character-defining features of the cemetery, nor would it diminish the ability of the resource to convey significance under Criterion A, C, or D, nor its ability to function in its current capacity. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of **No Adverse Effect** for Riverside Cemetery.
- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The Partial Cover Lowered Alternative would include an outfall system with ponds and drainage infrastructure on the north side of I-70 that would capture overland flooding and improve drainage issues in the neighborhoods. The system would convey stormwater runoff from the I-70 facility north along Claude Court, west along 49th Avenue, and north along Race Street, to the southwestern edge of Riverside Cemetery. The drainage system would not be constructed within the historic resource boundary of the cemetery, so there would be no direct effects to the resource. The construction of this alternative would not diminish the ability of the resource to convey its significance under Criterion A, C, or D, since setting elements in the larger surrounding area would not change the existing features of the resource that qualify it for inclusion on the NRHP. The construction of a stormwater drainage system near the cemetery may temporarily result in an increase in noise and a change in the visual setting at the outfall location; however, these changes are temporary and would only exist during construction, and would not affect any of the character-defining features of the cemetery, nor would it diminish the ability of the resource to convey significance under Criterion A, C, or D, nor its ability to function in its current capacity. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in the determination of **No Adverse Effect** for Riverside Cemetery.

### **York Street/East 40th Avenue Brick Sanitary Sewer (5DV11283)**

This nearly two-mile-long oval-shaped brick sewer was built in 1906. Most brick sewer lines in Denver are circular shaped. Because of its unique shape and workmanship, the sewer is eligible for the NRHP under Criterion D because it offers the potential to provide important historical information about sewer line design and construction techniques.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This resource is located on the south side of I-70. There are no direct effects associated with the implementation of this alternative and no temporary or permanent easements or right of way (ROW) would be acquired from the resource. Because the resource is located underground, there also are no anticipated indirect effects to the resource such as visual effects or noise. Because there would be no impacts to the resource, CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.
- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** This resource is located on the south side of I-70 and would not be subject to any direct effects due to property acquisition under the Revised Viaduct Alternative, North Option. Because the resource is located underground, it would not be subject to any noise or visual effects. Therefore, the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option since the resource is located beyond the proposed limits of the Revised Viaduct Alternative, South Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Under this alternative, the sewer line would be directly affected. It would be removed and a new sewer would be constructed in its place. Because this alternative would directly affect the sewer line and result in its removal, CDOT has determined the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the resource.

### **Delgany Common Interceptor Sewer (5DV4725)**

The recorded segment of the Delgany Common Interceptor Sewer (5DV4725.5) is a 1.40-mile-long brick sanitary sewer that was constructed in 1895 when the Delgany Sewer was extended from lower downtown to the South Platte River near East 46th Avenue. It was extended north of I-70 in 1937. It is buried approximately 10 feet underground. Brick sewer lines are associated with the early development of Denver and demonstrate techniques the city used to build sewers during the period of significance, 1880 to 1937, for dealing with the removal and conveyance of sanitary waste and stormwater. The entire sewer is significant because of its construction of three concentric rings of brick and is eligible for listing on the NRHP under Criterion D for the important information this sewer line could yield regarding early sewer design and construction techniques. This segment (5DV4725.5) supports the overall eligibility of the resource.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** Under this option, there would not be any construction activities in the vicinity of the sewer; therefore, CDOT has concluded that the No-Action Alternative, North Option would result in a determination of **No Historic Properties Affected**.
  - **No-Action Alternative, South Option:** Under this option, there would not be any construction activities in the vicinity of the sewer; therefore, CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Historic Properties Affected** for this resource.
- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** Under this option, there would not be any construction activities in the vicinity of the sewer; therefore, CDOT has concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Historic Properties Affected** for this resource.
- **Revised Viaduct Alternative, South Option:** Under this option, there would not be any construction activities in the vicinity of the sewer; therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Historic Properties Affected** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Improvements in this area would occur above the brick-lined sewer. The sewer itself would not be affected directly or indirectly. Because of this, CDOT has determined the project would result in a **No Adverse Effect** finding.

### **Burlington Ditch/O'Brien Canal (5AM465)**

The entire Burlington Ditch/ O'Brien Canal was determined to be officially eligible for the NRHP on February 26, 1988. It is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment (5AM465.9), 13 crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. These alterations impact a small portion of the ditch and the recorded segment retains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a 24" plastic pipe within a steel casing would be placed over a portion of the Burlington Ditch/O'Brien Canal where it would drop down and outlet into the Platte River via a manhole/ vault located within the Platte River. Should the stormwater pump system fail, the detention pond would fill until the emergency overflow level, at which point storm flows would then flow out of the pond through a 72" pipe and outlet into the Burlington Ditch. These alterations would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT has decided that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/O'Brien Canal.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a portion of the Burlington Ditch/O'Brien Canal. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT has concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/O'Brien Canal.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a portion of the Burlington Ditch/O'Brien Canal. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after that period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT has decided that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for the Burlington Ditch/O'Brien Canal.

**National Western Historic District (5DV10050 includes 5DV3815, 5DV9162 [5DV9282], 5DV10059, 5DV10060 [5DV9163], 5DV10081, 5DV10082, and 5DV10447)**

The National Western Complex, containing 47 buildings and features, has been identified as a historic district, eligible for listing on the NRHP under Criteria A and C. Ten of the 47 buildings and features have been evaluated for NRHP eligibility, and eight have been determined to be contributing resources. Eight contributing resources in the historic district are within the revised APE (see Table 4).

The National Western Historic District is eligible under NRHP Criterion A because of the area's relationship to the commerce, economics, and social history of Colorado. The district also is eligible under NRHP Criterion C because of the diversity of building styles and types in the area. The area contains various architectural styles, such as the Denver Terrace, Classical Revival, Early 20th Century American Movement's Commercial, Modern Movement's Moderne, and International. The area is significant to Colorado's commerce because of its ties to the old meat packing industries that were present in the Denver Union Stock Yard. The Denver Union Stock Yard Company helped fund the National Western Stock Show for many years, beginning in 1906. Estimates of the impact of this district on the local economy in 1913 were around \$2 million. This number grew steadily as the National Western Stock Show expanded its facilities. The most recent study in 2005 suggested that approximately 650,000 visitors spent \$84.1 million during the National Western Stock Show.

Over the years, the National Western Stock Show purchased tracts of land from the Denver Union Stock Yards and the associated packing house industries in the area. With the slow demise of the Denver Union Stock Yards in the 1960s, the company began to sell off its land to the National Western Stock Show. This partnership of land acquisition helped the National Western Stock Show grow in size and popularity. The Denver Union Stock Yards finally closed its doors in 1983. The National Western Stock Show and the City and County of Denver have embarked on a new plan to update and modernize the facilities at its current location.

**Table 4. Contributing resources in the National Western Historic District**

Site Number	Resource Name	Street Address
5DV3815	National Western Stadium Arena	4600 Humboldt Street
5DV7058	I-70 Bridge and Cattle Overpass over East 46th Avenue (E-17-CJ)	Milepost 274.9
5DV9162 (5DV9282)	Denver Coliseum	1300 East 46th Avenue
5DV10059	K-M Building Café/National Western	4699 Marion Street



Site Number	Resource Name	Street Address
	Stock Show Coffee Shop	
5DV10060 (5DV9163)	Denver Union Stock Yard Building/ Livestock Exchange Building	4701 Marion Street
5DV10081	Neorama Property/Artist Studio	4701 National Western Drive (Packing House Road)
5DV10082	McConnell Welders	4747 National Western Drive (Packing House Road)
5DV10447	Livestock Bridge and Flyover	Crosses I-70 between stadium and coliseum

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The historic district is not within the construction limits and therefore not within the area of direct effects of the No-Action Alternative, North Option because the viaduct has been replaced already between I-25 and Brighton Boulevard. It also is outside of any potential indirect effects. Located nearly two blocks east, or approximately 800 feet, from the No-Action Alternative, North Option construction limits, the historic district would not experience an increase in noise or a change in the visual appearance. Twelve-foot-tall retaining walls would be constructed on the north side of the highway, 608 feet from the historic district boundary. On the north side of I-70, a full city block, several buildings and East 46th Avenue stand between the closest buildings within the historic district and the proposed noise walls. The Denver Coliseum, the closest building within the historic district on the southern side of the interstate, would be shielded from view of the proposed noise walls by I-70 and the grade separation.

Under this alternative, the viaduct would not be replaced in the immediate vicinity of the historic district. The No-Action Alternative, North Option would not diminish the characteristics of the historic district that qualify it for inclusion in the NRHP, nor detract from association of the resource with the commerce, economics, and social history of Colorado, nor impact any of the significant architectural examples within the district.

Because the proposed improvements would not diminish the character-defining features that qualify the resource for inclusion on the NRHP and there would be no change to the viaduct at this location in terms of capacity or configuration, CDOT concluded that the No-Action Alternative, North Option would result in a finding of **No Historic Properties Affected** for this resource.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Historic Properties Affected** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** There would be no temporary or permanent easements or ROW acquisition of any portion of the historic district associated with the Revised Viaduct Alternative, North Option. I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity, but the reconstruction of the viaduct and widening begins east of Brighton Boulevard, approximately 800 feet east of the eastern edge of the historic district. The reconstruction work would not impact the National Western Historic District directly because it would take place at least one city block away from the closest building within the historic district.

The Revised Viaduct Alternative, North Option would not result in any visual impacts, as changes to the appearance of the viaduct would occur a full city block, or 800 feet, east of the district, and changes would not be discernible from the historic district. In addition, the

proposed 10-foot-tall noise walls would be located 607 feet from the nearest portion of the historic district. This alternative would result in a small increase in traffic noise over time within the historic district due to the capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. Although the restriping of I-70 within the historic district boundaries and the anticipated increase in noise constitutes an effect, it would not alter the character-defining features of the historic district or the ability of the historic district to convey significance to the NRHP under Criteria A and C. The district would still retain its association with the commercial, economic, and social history of Colorado, and the diverse building styles and types would remain unaltered. Therefore, CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. However, under this alternative, the proposed 10-foot-tall noise walls would be located 564 feet from the nearest portion of the historic district. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** There would be no temporary or permanent easements or ROW acquisition of any portion of the historic district associated with the Partial Cover Lowered Alternative. I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity. The lowering of I-70 would begin east of Brighton Boulevard, approximately 360 feet east of the eastern edge of the historic district. The interstate reconstruction work would not impact the National Western Historic District directly because it would take place 360 feet from the historic district.

A stormwater outfall pipe would be installed south of I-70, which would be built south of the Denver Coliseum underneath the parking lot between the Coliseum and the South Platte River. The outfall system would result in the placement of a new stormwater pipe underneath the pavement, which is not original and has been re-paved as needed throughout the years. This would not change or modify the current appearance of the historic district or its contributing buildings.

The Partial Cover Lowered Alternative would result in a small increase in traffic noise over time within the district due to the capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study. Although the stormwater drain and restriping of I-70 within the historic district boundaries constitute an effect, they would not alter the character-defining features or the ability of the district to convey significance to the NRHP under Criterion A or C. The district would still retain its association with the commercial, economic, and social history of Colorado, and the diverse building styles and types would remain unaltered. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for this resource.

### **Burlington and Colorado Railroad/Chicago, Burlington, & Quincy Railroad (CB&Q) (5DV6247)**

The segment of the Burlington and Colorado Railroad/Chicago, Burlington & Quincy Railroad (CB&Q) within the APE (5DV6247.3) consists of a four-track segment of standard-gauge railroad passing underneath I-70 leading to the north Denver rail yards. The southernmost boundary starts at East 44th Avenue and the South Platte River. The rail line continues diagonally at a northeast direction through the present day National Western Historic District, along Brighton Boulevard past Race Court, to the east of Riverside Cemetery, and crosses York Street at approximately East 54th Avenue. It continues northeast, crossing the existing Rock



Island Railroad tracks south of East 56th Avenue and southwest of the SunCor oil refinery. The northern boundary of the segment is at the intersection of I-270 and the Union Pacific Railroad. This railroad line was originally built in 1882 as the Burlington and Colorado Railroad, a subsidiary of the CB&Q railroad. In 1908, CB&Q absorbed Burlington and Colorado, along with several other subsidiaries. In 1970, CB&Q merged with the Great Northern and Northern Pacific Railroads and others to form the Burlington Northern, which became the BNSF Railway in 1995. The tracks, rail ties, and track bedding have been replaced or modified, and a number of spurs have been rerouted or altered to accommodate the changing business climate of the areas through which it travels. However, research indicates that this segment of mainline remains located along its original alignment and historic ROW. The segment maintains sufficient integrity to convey significance under Criterion A as a critical segment of railroad that played an important role in the commercial development of metropolitan Denver and Colorado and supports the overall eligibility of resource 5DV6247.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This segment of railroad is located underneath a section of the viaduct that already has been replaced and where no work would take place for the No-Action Alternative, North Option. Because no changes would occur to the character-defining features of the resource—including its alignment, elevation, or width—and the integrity of the setting would not be altered by the introduction of any new visual elements or increased noise levels, CDOT has determined that the No-Action Alternative, North Option would result in a finding of **No Historic Properties Affected**.
- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Historic Properties Affected** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This railroad segment is located underneath a section of the viaduct that already has been replaced and where no work would take place for the Revised Viaduct Alternative, North Option. Because no changes would occur to the character-defining features of the resource—including its alignment, elevation, or width—and the integrity of the setting would not be altered by the introduction of any new visual elements or increased noise, CDOT has determined that the work for the Revised Viaduct Alternative, North Option would result in a finding of **No Historic Properties Affected**.
- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Historic Properties Affected** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** This railroad segment is located underneath a section of the viaduct that already has been replaced and where no work would take place for the Partial Cover Lowered Alternative. Because no changes would occur to the character-defining features of the resource—including its alignment, elevation, or width—and the integrity of the setting would not be altered by the introduction of any new visual elements or increased noise levels, CDOT concluded that the alternative would result in a determination of **No Historic Properties Affected** for the resource.

### **Kosik Residence, 4681–4683 Baldwin Court (5DV1247)**

This one-story, dual-occupancy residential building located north of I-70 has a flat roof and is treated with five-course American common bond masonry. The 2012 survey found the resource is in good condition generally, but the paint is peeling on the doorframes and window frames. In addition, there is possible water damage on the south side of the roof. The period of significance of the subject resource, which is eligible

under Criterion C for Architecture, is limited to its year of construction: 1889. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Denver Terrace architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located west of Brighton Boulevard and northwest of the existing viaduct. The Kosik Residence is currently situated 474 feet from the existing viaduct. Under this alternative, the viaduct is replaced east of Brighton Boulevard; therefore, the portion of the viaduct that is located closest to this property would not be replaced. No temporary or permanent easements or ROW acquisitions are required from this property. Noise modeling for this option identified the need for noise mitigation in the form of noise walls. Construction of 12-foot-tall noise walls 474 feet from the resource on the edge of the proposed improvements represents a change in the resource setting. However, these walls would help offset increases in noise levels expected under this alternative. The line of sight from this resource to the proposed noise walls would be impeded by East 46th Avenue, the on-ramp, and another residential property and therefore would not be in direct view of the historic resource. The alterations to the viaduct proposed under this alternative also represent a larger visual presence in the setting of the resource.

Though the noise walls proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, the construction would not diminish the ability of the resource to convey its architectural significance as setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. Therefore, CDOT has concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** As with the No-Action Alternative, North Option, the viaduct would not be replaced in this location as improvements start east of Brighton Boulevard. Currently, this resource is located 474 feet from the viaduct. The proposed 12-foot-tall noise walls also would be 510 feet from the resource (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource). Because the viaduct would not be replaced in this location, and the indirect effects, including potential changes to the setting, are the same as those of the No-Action Alternative, North Option, CDOT has made the same determination for this option: **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The resource is approximately 474 feet away from the existing viaduct. The viaduct would not be replaced in this location, west of Brighton Boulevard. The resource would not be subject to temporary or permanent easements or ROW acquisitions. Potential indirect effects include changes to the setting and increases in noise from the proposed Brighton Boulevard westbound off-ramp and eastbound on-ramp that would be realigned due to the viaduct reconstruction and widening starting at Brighton Boulevard. The residential property would experience an increase in traffic noise over time due to the freeway widening and added capacity east of Brighton Boulevard. Proposed noise walls adjacent to the highway would offset elevated noise levels. Visual effects would result from the increase in the visible mass of the highway and the proposed 10-foot-high noise walls that would be situated 484 feet from the historic resource (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource). The line of sight from this resource to the proposed noise walls



would be impeded by East 46th Avenue, the on-ramp, and another residential property and, therefore, would not be in direct view of the historic resource.

The proposed noise walls represent a larger visual presence in the setting of the resource, but the construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option since the viaduct would not be replaced west of Brighton Boulevard. Under this alternative and the proposed 10-foot-tall noise walls would be located 553 feet from the resource (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource). Because this alternative would result in similar effects to those outlined above, CDOT has concluded that the Revised Viaduct Alternative, South Option also would result in a determination of **No Adverse Effect** for this option.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, this resource is located 474 feet from I-70. The highway would not be modified at this location, which is west of Brighton Boulevard, since improvements associated with the Partial Cover Lowered Alternative start east of Brighton Boulevard. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to visual and setting changes in the area. Noise modeling for this property identified the need for noise mitigation in the form of noise walls. Proposed noise walls would be located east of Brighton Boulevard and not in direct view of the resource.

Since the lowered alternative would start east of Brighton Boulevard, its construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Torres Residence, 4656 Baldwin Court (5DV9660)**

This is a one-and-one-half-story, rectangular-plan residential building located north of I-70. It is made of stucco construction with a front gabled roof. The 2012 survey found that the original front porch balustrade and banisters had been replaced. The new material is cast concrete blocks. In addition, the trim has been repainted from green to brown. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1891. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance. These compromising alterations include the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located west of Brighton Boulevard and northwest of the interstate, 296 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary for this resource. Potential indirect effects include visual changes to the setting and increases in noise.

Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. The construction of 12-foot-tall noise walls 296 feet from the historic resource along the edge of the highway would help offset the increased noise level; however, their introduction has the potential to introduce a new visual element to the setting. These walls would be separated from the resource by East 46th Avenue and the I-70 on-ramp from Brighton Boulevard, which gradually rises in elevation, so they would not be in direct view of the resource.

Though the noise walls under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** Similar to the No-Action Alternative, North Option, the viaduct would not be replaced in this location for the No-Action Alternative, South Option. The proposed noise walls, which would help offset increased traffic noise levels, would be 12 feet tall and located 319 feet from the historic resource boundary, on the edge of the highway (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource). This option would have similar effects as those outlined in the No-Action Alternative, North Option. Therefore, CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** This property is currently located 296 feet from the existing highway. Under this alternative, the viaduct would not be replaced west of Brighton Boulevard. The resource would not be subject to temporary or permanent construction easements or ROW acquisition.

Potential indirect effects include increases in noise and visual changes to the setting. The residential property would experience an increase in traffic noise over time due to the freeway widening and added capacity east of Brighton Boulevard. Proposed noise walls adjacent to the highway would provide a reduction in elevated noise levels, which would limit the noise effects to within the range considered acceptable. Visual effects would result from the increase in the visible mass of the highway and the proposed 10-foot-high noise walls, which would be situated 290 feet from the historic resource boundary (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource). East 46th Avenue and the redesigned on-ramp would lie between the resource and the proposed noise walls.

Though the noise walls under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, since the viaduct would not be replaced west of Brighton Boulevard. The proposed 10-foot-tall noise walls would be located 250 feet east of the historic resource boundary. The walls would be situated east of Brighton Boulevard, beyond the intersection of Brighton Boulevard and East 46th Avenue. Because the effects are similar to those outlined above, CDOT also has concluded that the Revised Viaduct



Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** This resource is located 296 feet from the existing highway. The highway west of Brighton Boulevard would remain in place and improvements associated with the Partial Cover Lowered Alternative would start east of Brighton Boulevard. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to visual and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the alteration to the setting under this alternative represent a change to the larger resource setting, this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Rudy/Bernal Residence, 4618 High Street (5DV9735)**

This is a one-story, rectangular-plan, residential building located north of I-70 with a front and rear gabled roof. The 2012 survey found the brick and trim repainted. There is a new, barrel-shaped greenhouse/storage building directly to the north of the residence. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1886. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The No-Action Alternative, North Option would require the full acquisition of this property located between the southern termini of Williams Street and High Street. The existing East 46th Avenue, which connects Williams Street and Gaylord Street, would be shifted to the north. This places the alignment of East 46th Avenue in the location of this building, which would be demolished for the replacement viaduct structure. Therefore, CDOT has determined that the No-Action Alternative, North Option would result in an **Adverse Effect** to this resource.
- **No-Action Alternative, South Option:** Currently, the Rudy/Bernal Residence is located 63 feet from the highway. For the No-Action Alternative, South Option, most of the viaduct widening would occur to the south and the resource would be 72 feet from the edge of the highway. There would be no direct effects associated with the proposed work through temporary or permanent easements, but there would be indirect effects related to noise, visual, and setting changes in the area due to the reconstruction of the viaduct. The existing viaduct is 23 feet tall and the replacement facility would be 24 feet tall under this alternative. Noise modeling for this option identified the need for noise mitigation in the form of noise walls. The proposed 12-foot-tall noise walls, which would be located on the edge of the highway 72 feet from the historic resource, would be separated from the resource by East 46th Avenue.

The construction of the new viaduct approximately nine feet farther from the historic resource boundary than the existing structure and addition of the proposed noise walls represents a greater visual presence in the setting of the historic resource. Though the

alteration of the viaduct and the construction of new noise walls at roughly the location of existing noise walls represent a change to the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. Therefore, CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Under the Revised Viaduct Alternative, North Option, this property is within the area where East 46th Avenue would be reconstructed underneath the revised viaduct and the building would be demolished. Therefore, CDOT has determined that this option would result in an **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT has determined that the Revised Viaduct Alternative, South Option also would result in an **Adverse Effect**.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** This property is within the area where East 46th Avenue would be reconstructed for the Partial Cover Lowered Alternative. The alternative would result in the acquisition of this property and demolition of this building. Therefore, CDOT has determined that this alternative would result in an **Adverse Effect**.

#### **Garcia Residence, 4617–4625 Race Street (5DV9780)**

This is a two-story, square-plan, four-unit, multiple-family residential building located north of I-70. It is constructed of stucco and brick with a flat roof. The 2012 recording found the resource is in fair condition. There is a large patch the size of one-third of the eastern portion of the north façade that needs painting. The northeastern corner near the first floor of the building needs to be re-stuccoed. All the trim on the building needs to be painted. The chimneys need to be re-stuccoed and tuck-pointed. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1890. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as representative of the 19th-century Commercial style in the terraced townhouse form with Classical Revival decorative elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The No-Action Alternative, North Option would require the full acquisition of this property. The existing East 46th Avenue, which connects Williams Street and Gaylord Street, would be shifted to the north. This places the alignment of East 46th Avenue in the location of this building, which would be demolished for the replacement viaduct structure. Therefore, CDOT has determined that the No-Action Alternative, North Option would result in an **Adverse Effect** to this resource.
  - **No-Action Alternative, South Option:** Currently, the Garcia residence is located 68 feet from the highway. For the No-Action Alternative, South Option, the viaduct would be widened to the south and would be approximately 83 feet from this resource. There would be no direct effects, such as temporary or permanent easements or ROW acquisitions, but it would be subject to indirect effects in the form of noise, visual, and historic setting changes. Potential indirect effects include increases in noise and visual changes to the setting. Noise modeling for this alternative indicates the need for noise mitigation in the form of noise walls



to help offset increased noise levels. However, construction of the proposed 12-foot-tall noise walls, which would be located on the edge of the highway, 83 feet from the historic resource and separated from the resource by East 46th Avenue, does represent a new modern element in the setting of the resource. In addition, the existing viaduct is 23 feet tall and the new viaduct would be 24 feet tall under this alternative. The alteration of the viaduct and addition of noise walls would represent a greater visual presence in the larger setting of the historic resource.

Though the noise walls and wider and slightly taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. Therefore, CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** With the Revised Viaduct Alternative, North Option, this property is within the area where East 46th Avenue would be reconstructed underneath the revised viaduct. The alternative would require the acquisition of the property and demolition of this building. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in an **Adverse Effect** to this property.
- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** This property is within the area where East 46th Avenue would be reconstructed for the Partial Cover Lowered Alternative. The alternative would result in the acquisition of the property and demolition of this building. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to this resource.

### **Adams Clock LLC/Mann Residence, 4645 Williams Street (5DV9795)**

This is a one-story, brick, L-shaped plan, residential building with a flat roof located north of I-70. The 2012 recording found the resource is in good condition. Tuck-pointing is needed on the northeastern corner of the building, near the roof. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1907. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Terrace architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the close proximity of the existing noise walls, the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located in the block directly north of the viaduct, approximately 276 feet from the existing viaduct structure, and approximately 75 feet north of the existing noise wall that separates East 46th Avenue, the interstate off-ramp, and the existing viaduct from the residences located to the north. The replacement viaduct would be widened but would be on approximately the same location as the existing viaduct. No direct effects to the resource are identified under this alternative. No temporary or permanent easements or ROW acquisitions are required from the property. Potential indirect

effects include visual changes to the setting and increases in noise. The existing viaduct is 23 feet tall, whereas the replacement facility would be 24 feet tall under this alternative. Noise modeling at this location identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of the proposed 12-foot-tall noise walls, which would be located 149 feet from the historic resource boundary, does represent a new modern element in the setting of the resource.

Though the noise walls, which would be situated at the same location of the existing noise walls, and wider and slightly taller viaduct proposed under this alternative represent a change in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP.

Therefore, CDOT has concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for this property.

- **No-Action Alternative, South Option:** This option would have similar effects as the No-Action Alternative, North Option: the residence would be approximately 281 feet from the proposed viaduct structure, whereas it is currently 276 feet from the viaduct structure. The proposed 12-foot-tall noise walls would be 226 feet from the resource. CDOT has concluded that there would be a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** This property is located north of the viaduct between Brighton Boulevard and Vine Street. The resource is currently located 276 feet from the viaduct. The replacement viaduct would be located 207 feet from the historic resource. No direct effects to the resource are anticipated under this alternative, since it would not be subject to temporary or permanent easements or ROW acquisitions. Indirect effects, including visual setting changes and increases in noise, are possible from the viaduct reconstruction and widening, as well as from the proposed work to the Brighton Boulevard westbound off-ramp and eastbound on-ramp that would be realigned. The existing viaduct is 23 feet tall at this location and it would be 24 feet tall under this alternative. The residential property would experience an increase in traffic noise over time due to the interstate widening and added capacity. Noise walls adjacent to the highway would reduce the elevated noise levels.

Moving the viaduct to a location closer than the existing structure and building new noise walls represent a change in the setting. Though the replacement noise walls and wider and slightly taller viaduct proposed under this alternative represent a change in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. Therefore, CDOT has concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. The current 23-foot-tall viaduct is located 276 feet from the resource, whereas the proposed viaduct would be 24 feet tall and 222 feet from the resource. However, under this alternative, there are two proposed noise walls at this location. The noise wall closest to the resource would be 90 feet from the property. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this option.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The residence at 4645 Williams Street is currently located 276 feet from I-70. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 65 feet closer to I-70, or 211 feet from the resource. There would be no direct



effects from the proposed work through temporary or permanent easement or ROW acquisitions. Proposed 18-foot-tall noise walls would be constructed 92 feet south of the historic resource.

Though the removal of the viaduct and construction of noise walls proposed under this alternative represent a change in the setting of the resource, these changes would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **E. G. Trading Post, 1630–1632 East 47th Avenue (5DV9805)**

Coors Brewing Company initially constructed this building, situated on the north side of I-70, as a brewery tavern to service the Union Stock Yards. Following the 1916 state Prohibition laws, it was converted into a general store/grocery (federal prohibition laws began in 1919). The 2012 recording found paint is peeling on the wood above the windows and on the garage door on the north side of the building. No other modifications or additions were noted since the prior recordation. The E. G. Trading Post is significant under Criterion A in the areas of Social History as a local brewery and saloon. It is significant under Criterion C for Architecture as a good example of the commercial use of the Denver Terrace style. Constructed in 1898, the resource retains a sufficient degree of integrity of association, feeling, design, workmanship, and materials to express its significance under Criteria A and C.

- **No-Action Alternative**

- **No-Action Alternative No-Action Alternative, North Option:** This property is located west of Brighton Boulevard and 529 feet north of the existing highway. The highway west of Brighton Boulevard would not be replaced. No direct effects to the resource are identified under this alternative, since no temporary or permanent easements or ROW acquisitions would be necessary. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling in this area did result in a recommendation for noise mitigation in the form of noise walls. The addition of 12-foot-tall noise walls—which would be located on the edge of the highway approximately 529 feet from the historic resource and separated from the resource by residential and commercial buildings, East 46th Avenue, and the I-70 on-ramp—would not be in direct view of the resource, although it does represent a new modern element in the setting of the resource.

The changes to the noise walls represent a larger visual presence in the setting of the resource. However, these walls would not diminish the integrity of association the resource holds with the social history of the neighborhood or its architectural significance. Because the proposed improvements would not diminish the character-defining features that qualify the resource for inclusion on the NRHP, CDOT has concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have similar effects as the No-Action Alternative, North Option since the highway would not be replaced west of Brighton Boulevard. The building is currently situated 529 feet from the highway. The proposed 12-foot-tall noise walls would be on the edge of the highway and 560 feet from the historic resource boundary (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource). CDOT has concluded that there would be a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property is located north of the viaduct and between Brighton Boulevard and Vine Street, 529 feet from the existing highway. The highway west of Brighton Boulevard would not be replaced. No direct effects to the resource are identified under this alternative. No temporary or permanent easements or ROW

acquisitions would be necessary. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling in this area did result in a recommendation for noise mitigation in the form of noise walls. The proposed 10-foot-high noise walls would be constructed 530 feet from the historic resource boundary, roughly at the same location as the edge of the existing highway (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource).

The addition of noise walls would provide a reduction in noise to offset an anticipated increase in noise levels. The walls themselves represent a new visual feature in the setting of the resource; however, they would not diminish the integrity of association the resource holds with the social history of the neighborhood or its architectural significance. Because this alternative would not diminish the character-defining features that qualify the resource for inclusion on the NRHP, CDOT has concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option since the highway would not be replaced west of Brighton Boulevard. The proposed 10-foot-tall noise walls would be 596 feet east of the historic resource (the distance to the noise wall is greater than the distance to the roadway since the noise wall is located southeast of the resource). CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** This property would not be directly affected through temporary or permanent easements or ROW acquisitions related to constructing the Partial Cover Lowered Alternative since the Partial Cover Lowered Alternative roadway improvements would start east of Brighton Boulevard. Currently, the E. G. Trading Post is situated 529 feet from the highway. Indirect effects related to noise, visual, and setting changes in the area would occur, but they would not detract from the resource's integrity of feeling and association relative to the social history of the neighborhood or its integrity of design, materials, or workmanship that are critical to convey its architectural significance. Because the proposed improvements would not diminish the character-defining features that qualify the resource for inclusion on the NRHP, CDOT has concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Miller Residence, 4675 Williams Street (5DV9823)**

This is a one-and-one-half-story, brick, rectangular plan, residential building with a front gabled roof, located north of I-70. The 2012 survey found an aluminum-framed storm door was added to the front door on the east façade. Two skylights, framed with metal, have been added to the north and south facades, placed near the eastern portions of the roof. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1893. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct and noise walls, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located in the block directly north of the viaduct, and is 450 feet from the existing viaduct structure. The edge of the replacement

viaduct would be 414 feet from the resource. No temporary or permanent easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be located 322 feet from the resource, does represent a new modern element in the setting of the resource. The line of sight from this resource to the proposed noise walls would be impeded by five other residential properties and East 46th Avenue.

Though the proposed noise walls and the altered viaduct proposed under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option (although the property would be 456 feet from the historic resource to the proposed viaduct). The existing viaduct is 23 feet tall at this location and would be 24 feet tall under this alternative. The proposed 12-foot-tall noise walls would be located on the edge of the highway, 456 feet from the resource. CDOT concluded that the No-Action Alternative, South Option also would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Currently, the resource is situated 450 feet from the viaduct. Under this alternative, the highway would largely remain in its current location. At this location, the highway would be located 381 feet from the historic resource. The existing viaduct is 23 feet tall, whereas the proposed viaduct would be 24 feet tall. This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option. It would experience indirect effects in the form of noise, visual, and historic setting changes from the proposed work to reconstruct and widen the viaduct, as well as realigning the Brighton Boulevard westbound off-ramp and eastbound on-ramp. This residential property would experience an increase in traffic noise over time due to the freeway widening and added capacity. Noise walls adjacent to the highway would provide a reduction in elevated noise levels. Visual effects would result from the increase in the visible mass of the highway and the proposed 10-foot-high noise walls, which would be located 381 feet east of the resource boundary. At this distance, and because there are five other residential properties and East 46th Avenue located between the resource and the proposed noise walls, the walls would not be in direct view of the resource.

Though the noise walls, reconstructed on- and off-ramp, and revised viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. However, the new viaduct would be situated 392 feet from the historic resource. The resource is currently located 450 feet from the viaduct. At this location, there are two proposed noise walls. The closest proposed noise wall would be 267 feet from the resource. CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.



- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the resource is situated 450 feet from the existing viaduct. The Partial Cover Lowered Alternative would result in the highway being 394 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. An 18-foot-tall noise wall would be constructed 207 feet from the historic resource. Though the proposed noise walls, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Herzberg Property, 4665–4669 Williams Street (5DV9828)**

This is a brick, one-story, U-shaped plan, multiple-family residential building with a flat roof, located north of I-70. The 2012 survey found no modifications to the property since the previous survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1886. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Denver Terrace architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct and noise walls, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located in the block directly north of the viaduct, and is 400 feet from the existing viaduct structure. The edge of the replacement viaduct would be on the same location as the existing viaduct, 400 feet from the resource. No direct effects to the resource are identified under this alternative, as no permanent or temporary acquisitions would be necessary from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 23 feet tall at this location, and the replacement viaduct would be 24 feet tall under this alternative. Noise modeling for this option identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed on the edge of the highway 400 feet from the resource, does represent a new modern element in the setting of the resource. The line of sight from this resource to the proposed noise walls would be impeded by four other residential properties, and East 46th Avenue. At this distance and because of the existing surrounding features located between the resource and the proposed noise walls, the noise walls would not be in direct view of this resource.

Though the noise walls and the replacement viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** Similar effects as the No-Action Alternative, North Option would be experienced (although the property would be five feet farther away from the viaduct, or 405 feet from the historic resource to the proposed viaduct) for this resource. The

proposed 12-foot-tall noise walls would be located on the edge of the highway, 405 feet from the resource. The existing viaduct is 23 feet tall at this location and it would be 24 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option. It would experience indirect effects in the form of noise, visual, and historic setting changes from the reconstruction and widening of the viaduct, as well as from the proposed work to the Brighton Boulevard westbound off-ramp and eastbound on-ramp, which would be realigned. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 10-foot-tall noise walls, which would be placed 322 feet south of the resource, does represent a new modern element in the setting of the resource. The line of sight from this resource to the proposed noise walls would be impeded by four other residential properties as well as East 46th Avenue and would be located east of the resource; therefore, the walls would not be in direct view of the historic resource.

The widening of the viaduct proposed under this alternative also represents a change in visual presence in the setting of the resource; the existing viaduct structure is placed 400 feet from the historic resource, while the new viaduct structure proposed under this alternative would be located 330 feet from the resource. The current viaduct is 23 feet tall, whereas the revised viaduct would be 24 feet tall. The highway design would result in the highway being located 70 feet closer to the resource. Though the proposed noise walls, reconstructed on- and off- ramp, and the altered viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** Similar effects as under the Revised Viaduct Alternative, North Option would occur for this option; however the new viaduct would be situated 344 feet from the historic resource boundary. There are two proposed noise walls at this location, and the closest wall to this resource is 217 feet from the resource. The existing viaduct is 23 feet tall at this location and the proposed viaduct would be 24 feet tall. CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the resource is situated 400 feet from the existing viaduct. The Partial Cover Lowered Alternative would largely shift the highway to the north. At this location, the highway would be 332 feet from the resource, 67 feet closer to the resource than its existing location. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. An 18-foot-tall noise wall would be constructed 215 feet from the historic resource.

Though the proposed noise walls, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Ponce Residence, 4668 High Street (5DV10034)**

This is a one-story, rectangular-plan, residential building constructed with horizontal siding and a front gabled roof, located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1886. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the American Movement's Vernacular architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located in the block directly north of the viaduct, and is 349 feet from the existing viaduct structure. The replacement viaduct would be widened, moving it approximately 45 feet closer to the property or 304 feet from the resource. No direct effects to the resource are identified under this alternative. No permanent or temporary easements or ROW acquisitions are required from the property. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed on the edge of the highway 304 feet from the resource, does represent a new modern element in the setting of the resource. Five buildings would impede the line of sight from this resource to the proposed noise walls.

Though the noise walls and wider viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option has a similar effect as the No-Action Alternative, North Option (though the highway would be 12 feet farther away from the resource, or 361 feet from the resource to the proposed viaduct structure). The proposed 12-foot-tall noise walls would be situated on the edge of the highway, 361 feet from the resource. The existing viaduct is 23 feet tall, whereas the proposed viaduct would be 24 feet tall at this location. CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property would not be subject to direct effects such as temporary or permanent easements or ROW acquisitions for the Revised Viaduct Alternative, North Option. It would experience indirect effects in the form of noise, visual, and historic setting changes from the reconstruction and widening of the viaduct, as well as the proposed work to the Brighton Boulevard westbound off-ramp and eastbound on-ramp, which would be realigned. Construction of the proposed noise walls would help offset increases in noise levels expected under this alternative. However, construction of 10-foot-tall noise walls, which would be placed 218 feet from the resource, does represent a new modern element in the setting of the resource. Other residential buildings would be situated between the resource and the proposed noise walls so the noise walls would not be directly adjacent to the property. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource. The existing viaduct structure is placed 349 feet from the historic resource, while the new viaduct structure



proposed under this alternative would be 219 feet from the resource. The existing viaduct is 23 feet tall, whereas the proposed viaduct would be 24 feet tall.

Though the noise walls and the altered viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option has similar effects as the Revised Viaduct Alternative, North Option for this resource; however, the new viaduct would be situated 239 feet from the historic resource and the proposed 10-foot-tall noise walls also would be 239 feet from the resource. The existing viaduct is 23 feet tall and would be 24 feet tall under this alternative. CDOT has determined that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the resource is situated 349 feet from the existing viaduct. The Partial Cover Lowered Alternative would generally shift the highway to the north. The edge of the proposed highway would be 286 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. An 18-foot-tall noise wall would be constructed 214 feet from the historic resource. This proposed noise wall would be located 104 feet north of the existing noise walls, which would be demolished under this alternative.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Garcia Residence, 4695 High Street (5DV10040)**

This is a brick, one-and-one-half-story, rectangular-plan, residential building with a front gabled roof located north of I-70. The 2012 survey found the resource has been re-painted. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1903. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located in the block directly north of the viaduct, 503 feet from the existing viaduct structure. The replacement viaduct would be widened and would be 41 feet closer to the property. The new viaduct would be 462 feet from the resource. No direct effects, in the way of temporary or permanent easements or ROW acquisitions, are anticipated. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 23 feet tall, whereas the proposed

viaduct would be 24 feet tall at this location. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. However, construction of 12-foot-tall noise walls, which would be placed on the edge of the highway 462 feet from the resource, does represent a new modern element in the setting of the resource. A full city block would stand between the resource and the proposed noise walls.

Though the noise walls and the altered viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option creates similar effects as the No-Action Alternative, North Option (the resource would be approximately 500 feet from the proposed viaduct structure and the proposed 12-foot-tall noise walls also would be 500 feet from the historic resource). The existing viaduct is 23 feet tall, while the replacement viaduct would be 24 feet tall at this location. CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** This property would not be subject to temporary or permanent easements or ROW acquisitions for the Revised Viaduct Alternative, North Option. Currently, the Garcia Residence is located 503 feet from the existing viaduct. The new edge of the highway would be located 377 feet from the historic resource. The existing viaduct is 23 feet tall at this location, whereas the proposed viaduct would be 24 feet tall. The resource would experience indirect effects in the form of noise, visual, and historic setting changes from the viaduct reconstruction and widening, as well as from the proposed work to the Brighton Boulevard westbound off-ramp and eastbound on-ramp, which would be realigned. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. Construction of 10-foot-tall noise walls, which would be placed 377 feet from the resource, does represent a new modern element in the setting of the resource. At this distance, and because of the existing surrounding features located between the resource and the proposed noise walls, the walls would not be in direct view of the subject resource.

Though the noise walls and the altered viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** This resource would have similar effects as the Revised Viaduct Alternative, North Option. However, under this alternative, the revised viaduct would be located 490 feet from the historic resource and the 10-foot-tall noise walls would be 378 feet slightly to the east from the resource. The revised viaduct would be one foot taller than the existing viaduct at this location. CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the resource is situated 503 feet from the existing viaduct. Under the Partial Cover Lowered Alternative, the highway would be 450 feet from the historic resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition,

but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. An 18-foot-tall noise wall would be constructed 374 feet from the historic resource boundary. This proposed noise wall would be located 26 feet north of the existing noise walls, which would be demolished.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Kretschmar Property, 4662–4664 Williams Street (5DV10085)**

This is a one-story, rectangular-plan, multiple-family residential building with a brick foundation and brick wall construction that has a front gabled roof, located north of I-70. Sometime between 2006 and 2012, the window on the south side of the east façade was replaced with a paired, double-slider window. The windows on the first floor, south façade, also have been replaced. On the south façade, there is one large single-paned window, then a paired double-hung window. These are replacement windows since the 2006 survey. In addition, the stucco on the east and southern roof gables has been repainted. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1937. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Craftsman architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located in the block directly north of the viaduct and is 379 feet from the existing viaduct structure. The replacement viaduct would be located 338 feet from the resource. No direct effects in the form of temporary or permanent easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. Construction of 12-foot-tall noise walls, which would be placed 292 feet from the resource, does represent a new modern element in the setting of the resource. Currently, there are 10-foot-tall noise walls located 188 feet from the resource. The proposed noise walls under this alternative would be located 104 feet south of the existing noise walls, which would be demolished, and would be separated from this resource by four buildings.

Though the noise walls and the altered viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option creates similar effects as the No-Action Alternative, North Option (the resource would be approximately 385 feet from the proposed viaduct structure, or six feet farther away from the resource than the existing highway). The proposed 12-foot-tall noise walls also would be 316 feet from the historic resource. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.



- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property would not be subject to temporary or permanent easements or ROW acquisitions for the Revised Viaduct Alternative, North Option. Currently, the Kretschmar Residence is located 379 feet from the existing viaduct. Under this alternative, the new highway would be located 304 feet from the historic resource. The existing viaduct is 23 feet tall, whereas under this alternative, the proposed viaduct would be 24 feet tall. The resource would experience indirect effects in the form of noise, visual, and historic setting changes from the viaduct reconstruction and widening, as well as from the proposed work to the Brighton Boulevard westbound off-ramp and eastbound on-ramp, which would be realigned. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. Construction of 10-foot-tall noise walls, which would be placed 230 feet slightly to the east of the resource, does represent a new modern element in the setting of the resource. Currently, noise walls are located at the end of Williams Street, approximately 202 feet from the resource. The existing noise wall would be demolished.

Though the noise walls and the altered viaduct proposed under this alternative represent a change in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have similar effects as the Revised Viaduct Alternative, North Option. Under this alternative, however, the revised viaduct would be located 316 feet from the historic resource boundary, or 24 feet farther away than the existing viaduct. There are two noise walls proposed at this location; the closest wall would be 198 feet from the resource. The existing viaduct is 23 feet tall and it would be 24 feet tall at this location under this alternative. CDOT has concluded that the Revised Viaduct Alternative, South Option would have a determination of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Kretschmar Residence is situated 379 feet from the existing viaduct. Under the Partial Cover Lowered Alternative, the highway would be 303 feet from the resource, or 76 feet closer to the resource than the existing highway. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. An 18-foot-tall noise wall would be constructed 200 feet from the historic resource. This proposed noise wall would be located 12 feet south of the existing noise walls, which would be demolished under this alternative.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Abrams/Loretta Residence, 4679 Vine Street (5DV10135)**

This is a one-and-one-half-story, stucco-covered wall construction, rectangular-plan, residential building with a cross-gabled roof, located north of I-70. Sometime between 2006 and 2012, the resource was repainted a light grey. The trim of the resource was repainted a dark grey. The period of significance of the subject

resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1886. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located in the block directly north of the viaduct, and is 466 feet from the existing viaduct structure. The replacement viaduct would be widened and would be approximately 64 feet closer to the property. The new improvements would be located 402 feet from the resource. No direct effects in the way of temporary or permanent easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 30 feet tall at this location, whereas the proposed viaduct would be 33 feet tall. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource; the existing viaduct structure is placed 466 feet from the historic resource while the new improvements would be 402 feet from the resource. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. Construction of 12-foot-tall noise walls, which would be placed 402 feet from the resource, does represent a new modern element in the setting of the resource. At this distance, and because of the existing surrounding features—including approximately seven buildings located between the resource and the proposed noise walls—the noise walls would not be in direct view from the subject resource.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have similar effects as the No-Action Alternative, North Option, though the viaduct would be 14 feet farther from the property and located 480 feet from the resource, and the proposed 12-foot-tall noise walls also would be 480 feet from the resource. The existing viaduct is 30 feet tall at this location, while it would be 33 feet tall under this alternative. CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property would not be subject to temporary or permanent easements or ROW acquisitions from the Revised Viaduct Alternative, North Option. Currently, the Abrams/Loretta Residence is located 466 feet from the existing viaduct. Under this alternative, the highway would remain in its current location, but be widened to the north by approximately 154 feet, moving it closer to this property. The new highway would be located 312 feet from the historic resource. The existing viaduct is 30 feet tall at this location, whereas the viaduct would be 32 feet tall under this alternative. The resource would experience indirect effects in the form of noise, visual, and historic setting changes from the proposed viaduct reconstruction and widening, as well as from proposed work to the Brighton Boulevard westbound off-ramp and eastbound on-ramp, which would be realigned. The construction of the revised viaduct proposed under this alternative represents a greater visual presence in the setting of the resource. Noise modeling for this

alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 10-foot-tall noise walls, which would be placed 312 feet from the resource, does represent a new modern element in the setting of the resource.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a change in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would experience similar effects as the Revised Viaduct Alternative, North Option (though the viaduct would be 69 feet closer to the resource, or 397 feet from the historic resource). Under this alternative, 10-foot-tall noise walls would be constructed 396 feet from the resource. The existing viaduct is 30 feet tall, while the proposed viaduct would be 33 feet tall at this location. CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Abrams/Loretta Residence is situated 466 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 145 feet closer to I-70. Under this alternative, the highway would be 321 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. An 18-foot-tall noise wall would be constructed 314 feet from the historic resource.

Though the noise wall, demolition of the existing viaduct, and placement of the highway below grade 48 feet closer to this resource represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

## 6.2. Section 2

Section 2 of I-70 is located east of the Union Pacific Railroad segment and ends west of Thompson Court. It is part of the Elyria and Swansea Neighborhood and is a mix of commercial, industrial, and residential use. It includes the Nestlé Purina PetCare Company on York Street, the Colonial Motel on East 46th Avenue and Elizabeth Street, two businesses, 23 residential properties, and one railroad segment that supports the eligibility of the overall linear resource. All of the historic properties in this section are eligible as individual properties, as shown in Figure 18.

### 6.2.1. Description of existing setting for Section 2

As in Section 1, the history and development of the properties in Section 2 are closely related to the National Western Stock Show. The section includes businesses that cater to visitors to the Stock Show, such as the Colonial Motel and gas stations/convenience stores, as well as a diverse collection of individually eligible historic residences in Elyria and Swansea. These blocks were evaluated by CDOT for a potential historic district, but it was determined that many of the original houses in the Elyria and Swansea Neighborhood had been altered with additional massing, modifications to building materials, and removal of architectural ornamentation. In addition, due to the removal of many of the original buildings and the intrusion of newer residential and industrial buildings, the blocks do not convey the feeling, setting, and association of turn-of-



the-20th-century neighborhoods needed to be eligible as a historic district. Even though there are several properties that convey specific architectural styles and forms under Criterion C, the historic setting has been altered over the years.

### Figure 18. Section 2 historic properties



### **6.2.2. Section 2 Alternative Descriptions**

#### **No-Action Alternative**

The replacement of the viaduct would begin at Brighton Boulevard and end at Colorado Boulevard, affecting the entire length of Section 2. The refinement of engineering designs, combined with the placement of East 46th Avenue beneath the viaduct, would decrease the width of the viaduct constructed for the No-Action Alternative from the alternative evaluated in 2010.

Two options exist for reconstructing the viaduct: shifting immediately to the north (No-Action Alternative, North Option) or immediately to the south (No-Action Alternative, South Option). Off- and on-ramps would be realigned at Brighton Boulevard, York Street, and Steele Street. The proposed improvements would keep the lane configuration the same, with six general-purpose lanes (three in each direction), and a width of approximately 140 feet for the viaduct.

#### **Revised Viaduct Alternative**

The Revised Viaduct Alternative would remain on the existing I-70 alignment, but would add two general-purpose lanes in each direction between Brighton Boulevard and Colorado Boulevard. The Managed Lanes Option would add two managed lanes instead of general-purpose lanes in the same area. Within Section 2, the width of the general-purpose lanes and managed lanes are identical. The Revised Viaduct Alternative, North and South Options, would shift the alignment to either side of the interstate.

In Section 2, the revised viaduct with additional lanes was redesigned to total 197 feet in width, including westbound and eastbound East 46th Avenue underneath the viaduct. The revised viaduct would be approximately 115 feet wider than the existing viaduct, for a possible maximum width of 205 feet, which would include shoulders and sidewalks on either side of the viaduct along East 46th Avenue. This width includes the replacement of the viaduct, plus widening of the facility to bring it up to current AASHTO standards.

The existing setting of the neighborhood currently is dominated by the presence of I-70; the individually eligible residences are representative of architectural styles but do not form a cohesive district.

#### **Partial Cover Lowered Alternative**

The Partial Cover Lowered Alternative would remove the viaduct and reconstruct the highway below the existing ground level. This alternative also includes a cover over the highway between Clayton Street and Columbine Street.

The Partial Cover Lowered Alternative would reach its maximum depth of approximately 40 feet below ground surface in Section 2, just east of the Union Pacific Railroad (5DV6248.4) near the Nestlé Purina PetCare Company, to accommodate the existing railroad crossing above the highway. The remaining portion of the lowered section has a depth of approximately 26 feet below grade.

The widening of I-70 associated with the Partial Cover Lowered Alternative would occur to the north of the existing viaduct and would result in the location of the highway shifting approximately 350 feet closer to the properties than the existing viaduct. Widening to the south is not possible because of the locations of the Union Pacific rail yard and the Nestlé Purina PetCare Company south of I-70.

Noise levels would be reduced for the Partial Cover Lowered Alternative when compared with the No-Action Alternative and Revised Viaduct Alternative because the facility would be lowered and partially covered.

Lowering I-70 would eliminate a dominant skyline obstruction. The visual presence of the highway would be decreased in this area, to be replaced by the gradual lowering of the highway underneath the cover between Columbine and Clayton Streets.



### 6.2.3. NRHP-eligible properties and effects in Section 2

The following section includes brief summaries of NRHP-eligible properties and effects associated with each alternative in Section 2. A detailed explanation regarding the effects is provided for those properties with more complicated impacts from the project. A summary of effects in Section 2 is included in Table 11 at the end of the document.

For a discussion of cumulative effects related to this alternative, please refer to Chapter 7 in this document.

#### Union Pacific Railroad (5DV6248)

Resource 5DV6248.4 is a segment of the Union Pacific Railroad (5DV6248) that consists of four to six standard-gauge railroad tracks. Within the project corridor, the railroad is located just west of the Nestlé Purina PetCare Company. The railroad passes underneath the existing I-70 viaduct via the Union Pacific Railroad Bridge (E-17-Z/5DV7062, determined to be not eligible for the NRHP), which goes over East 46th Avenue and travels into the north Denver rail yards. This segment, currently in use and actively maintained, was originally part of the Denver Pacific Railway and Telegraph. Denver Pacific, Kansas Pacific, and the Denver and Boulder Valley Railway operated as a single system in this area until 1878. The Denver Pacific line was sold to Union Pacific Railroad in 1880. Union Pacific Railroad has retained ownership, although the line is generally known as the Denver Pacific. The tracks, rail ties, and track bedding within the segment have been replaced or modified, and a number of spurs have been rerouted or altered to accommodate the changing business climate of the areas through which they travel. Research indicates that this segment of mainline remains located along its original alignment and historic ROW. The railroad is eligible for NRHP inclusion under Criterion A for its role in the commercial development of metropolitan Denver and Colorado. The segment within the project area retains sufficient integrity to support the entire linear resource.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** For the No-Action Alternative, North Option, the existing Union Pacific Railroad Bridge (E-17-Z) over East 46th Avenue would remain in place. Reconstruction of the viaduct above the Union Pacific Railroad Bridge would require a construction easement of approximately 300 feet. The proposed work, however, would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the setting has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. CDOT has determined that the No-Action Alternative, North Option would have **No Adverse Effect** on Resource 5DV6248.
- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would also result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would require a similar construction easement as the No-Action Alternative, North and South Options. In addition to the viaduct construction, a 4-foot by 10-foot storm drain would be bored beneath the tracks at Claude Court, which may result in disturbance to the track bed. The Track bed has been maintained and altered through use and maintenance operations and is not in its original condition. Following the completion of the project, the tracks will be returned to the present condition at the end of construction. At this time, it is anticipated that no easements would be required within the historic ROW to facilitate construction or maintenance of the storm drainpipe and the bore locations. Although the pipe would result in impacts to the track bed, the track would be returned to its current condition following construction. The tracks and ballast in the area are not original and have been maintained over the years. The impacts to the track bed would not diminish any integrity of materials or workmanship, as those aspects have already been impacted. The replacement of the viaduct would change the setting of the railroad.

However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. CDOT has determined that the Revised Viaduct Alternative, North Option would have **No Adverse Effect** on Resource 5DV6248.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The Partial Cover Lowered Alternative would require the removal of the existing I-70 viaduct between Brighton Boulevard and Colorado Boulevard, replacing it with a lowered section of highway that would begin at this railroad segment. This would include removing the Union Pacific Railroad Bridge and constructing a new, multi-span bridge that would carry the railroad over the reconstructed I-70 and eastbound and westbound lanes of East 46th Avenue. The bridge to be replaced, Structure E-17-Z (5DV7062), was determined not to be eligible for the NRHP on May 28, 2013, per SHPO correspondence. Temporary track relocation would be required to make the new bridge construction easier. The removal of the existing bridge, which currently carries the railroad over East 46th Avenue, and the temporary relocation of the tracks would change the current appearance of the railroad. This alternative would require a construction easement of approximately 549 feet of the railroad. The Partial Cover Lowered Alternative would require the same storm drain as would the Revised Viaduct Alternative, North and South Options. Because this option requires removing a physical feature of the railroad, which would diminish the integrity of design, CDOT has determined that the Partial Cover Lowered Alternative would have an **Adverse Effect** on Resource 5DV6248.

### **Hovan/Plazola Residence, 4673 Josephine Street (5DV1172)**

This brick, one-story, rectangular plan residential building with a front gabled roof was constructed in 1890 and is located north of I-70. The 2012 survey found the lower northeastern corner on the east façade of the building needs tuck-pointing. The front façade brick and trim were re-painted, the front security door was removed, and the front window on the east façade replaced with a window that has a fixed pane on the top and a double slider on the bottom of the window. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1890. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style with Eastlake elements and Queen Anne massing. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located on the north side of I-70. The Hovan/Plazola Residence is situated 456 feet from the existing viaduct. Under this alternative, the viaduct would remain in its current location, but expand 56 feet to the north, closer to this building. The new highway would be located 400 feet from the historic resource. There are no direct effects associated with the work, and no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed 400 feet from the

resource along the edge of the road, does represent a new modern element in the setting of the resource. Steavenson Place and seven buildings located between the resource and the proposed noise walls would impede the line of sight from the resource to the walls, so the walls would not be in direct view of the historic resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. The resource would be approximately 473 feet from the proposed viaduct structure, or 17 feet farther away from the highway than the current conditions. The proposed 12-foot-tall noise walls would be 473 feet from the historic resource. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** This property would not be subject to any direct effects, since temporary or permanent easements or ROW acquisitions are not required from this property for this option. However, there would be noise, visual, and historic setting changes in the area as a result of this option. Currently, the Hovan/Plazola Residence is located 456 feet from the resource. The undertaking would involve replacing the existing elevated I-70 with another elevated and wider highway to the north, coming approximately 125 feet closer to the property. The existing viaduct is 24 feet tall at this location and the proposed structure would also be 24 feet tall. The residential property would experience an increase in traffic noise over time due to the freeway widening and added capacity. The proposed noise walls adjacent to the highway would help offset the increased noise levels. However, construction of proposed 10-foot-tall noise walls, which would be placed 331 feet from the resource, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and the wider viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. The interstate is approximately 456 feet south of this property and would be located 480 feet south of the resource under the Revised Viaduct Alternative, South Option. The proposed 10-foot-tall noise walls would be located 480 feet from the historic resource; seven buildings and Steavenson Place would be located between the resource and the proposed noise walls, blocking the line of sight to them. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Hovan/Plazola Residence is situated 456 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located 303 feet from the proposed highway. There would be no direct effects from the proposed work



through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **The Miranda/Taylor Residence, 4632 Josephine Street (5DV5677)**

This is a one-story, rectangular-plan, residential building of brick construction with a front gabled roof, located north of I-70. Special features of this building include multiple gabled frontage, a decorative dog-tooth stringcourse, a dog-toothed barrel arched pediment, and an inset pedimented front porch. Modern alterations include additional massing on the rear or east façade and replacement of the original front picture window. The 2012 survey found no modifications to the property since the previous survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1889. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70. The Miranda/Taylor Residence is currently situated 217 feet from the existing viaduct. Under this alternative, the viaduct would remain in its current location but expand 55 feet to the north, closer to this building. The new improvements would be located 162 feet from the historic resource. There are no direct effects associated with the work, and no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location, and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed 162 feet from the resource, does represent a new modern element in the setting of the resource. Steavenson Place, one other building, and a vacant lot would be situated between the resource and the proposed noise walls blocking the line of sight. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. The building would be approximately 236 feet from the proposed viaduct structure and the proposed 12-foot-tall noise walls also would be 236 feet from the historic resource. The resource is currently located 217 feet from the existing viaduct. The existing viaduct is 24 feet tall at this location and would be 28 feet tall under this alternative.

CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Currently, the viaduct is located 217 feet from the historic resource. The undertaking would involve replacement of the existing elevated I-70 with another elevated and wider highway to the north, coming approximately 122 feet closer to the property. A visual alteration would occur with the demolition of the existing viaduct and the increase in height of the proposed structure. The current structure is 24 feet tall. Under this alternative, the structure would be 27 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. Construction of 10-foot-tall noise walls, which would be placed 95 feet from the resource, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to this resource.

- **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. Currently, the interstate is approximately 217 feet south of this property and it would be approximately 244 feet south of the resource under the Revised Viaduct Alternative, South Option. The proposed 10-foot-tall noise walls would be located 244 feet from the resource, south of the northern edge of the existing viaduct. The existing viaduct is 24 feet tall at this location and it would be 27 feet tall under this alternative. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** to this property.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Miranda/Taylor Residence is situated 217 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 48 feet closer to I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. East 46th Avenue would be located one parcel south of this property.

Though the demolition of the existing viaduct and placement of the highway below grade 48 feet closer to this resource represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Colonial Manor Motel/Tourist Court, 2615 East 46th Avenue (5DV7130)**

The Colonial Manor Motel/Tourist Court is a 23-unit motel comprised of a complex of two detached but related buildings arranged in an L-shaped pattern around a circular central parking area, located north of I-70. Both buildings are two stories and have brick masonry and running-bond walls carried by poured-concrete wall foundations. The buildings each face the central courtyard, an aspect that is elaborated by

large front porches. The roofs of the buildings, with a few exceptions, are low sloping side gables with an asymmetrical section that is finished with three tabbed asphalt shingles. The architectural characteristics of this motel are most related to an Adam or Georgian Colonial Revival from the middle of the 20th century. The 2012 survey found the paint is chipped and peeling on all the trim and on the wood siding on the dormers and gables of the south building. On the west building the paint is peeling on the southern cupola. There is some spalling on the brick on the north end of the west elevation of the building.

The period of significance of the subject resource, which is eligible under Criteria A and C, is limited to 1946-1950. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance for its association with the rise of the motel industry in the first half of the 20th Century and association with the National Western Stock Show and tourism. In addition, it retains sufficient integrity to express its significance under Criterion C as a good example of a 1940s motor court and the Colonial Revival architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP. The resource would still retain its integrity of association, feeling, materials, workmanship, and design necessary to convey its significance for its association with the rise of the motel industry in the first half of the 20th Century and association with the National western Stock Show and tourism, as well as its significance as a rare example of a 1940s motor court and the Colonial Revival style. A development significant to the post-war era, the motor court exemplifies the growth of automobile-based tourism along major commercial strips such as East 46th Avenue. Similar to motels along East Colfax built during the 1940s, this building represents accommodations that began to disappear from the American roadside landscape with the introduction of the Interstate system in the late 1950s, as they were replaced by large-scale hotel chains.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The No-Action Alternative, North Option would require the full acquisition of this resource because the buildings would be demolished for the new viaduct structure. Therefore, CDOT concluded that the No-Action Alternative, North Option would result in an **Adverse Effect** to this resource.
- **No-Action Alternative, South Option:** This property would be located directly north of the reconstructed viaduct under the proposed No-Action Alternative, South Option. Currently, the Colonial Manor Motel/Tourist Court abuts the existing viaduct. The reconstructed viaduct would be located 12 feet from the property. The No-Action Alternative, South Option would require permanent acquisition of a small amount of land; however, the land acquisition does not require alterations or modifications to the buildings. The acquired land would serve as a construction access for the planned improvements to I-70 and East 46th Avenue. There would be no permanent physical changes to the acquired area of the parcel and the historic buildings, driveway, and landscaping would remain intact. The acquisition would impact 0.1 acre of the 1.28-acre property (or 7 percent of the property), south of the buildings. It would affect a very small part of the landscaping and southern edge of the driveway on the southern edge of the parcel.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed 12 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be placed at roughly the same location as the piers for the existing northern edge of the viaduct. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.



Because the alternative proposes to permanently acquire a portion of the historic resource and will impact parking and vegetation, CDOT concluded that the No-Action Alternative, South Option would result in an **Adverse Effect** to the resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would reconstruct and expand the viaduct so that the highway alignment shifts up to 160 feet north of the existing I-70 alignment. This property would be acquired in full and the buildings demolished as a result. Therefore, CDOT concluded that the Revised Viaduct Alternative, North Option would result in an **Adverse Effect** to this property.
  - **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. The interstate is currently adjacent to this property and it would remain in a similar alignment for the Revised Viaduct Alternative, South Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The Partial Cover Lowered Alternative would result in the full acquisition of this property and demolition of the buildings. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to this property.

#### **Ralston-Purina Plant/Nestlé Purina PetCare Company, 2151 East 45th Avenue (5DV9245)**

The Denver Nestlé Purina PetCare Company (formerly the Ralston-Purina Company) represents a significant industrial development in Colorado history. Its continuous 75-year operation has been central to Denver's position as one of the most important marketing points for stock feeds in the Rocky Mountain region. It also has been associated with several prominent historical figures in the history of industrial growth in Denver, including Governor William H. Adams. The Denver Nestlé Purina PetCare Company facility has undergone a number of significant structural alterations and modifications since its opening. As a result, the original building has changed considerably. The 2012 survey found a second warehouse built sometime between 2008 and 2010 north of East 44th Avenue in a location that formerly had been employee parking and truck storage. However, its historical impact and associations with the Denver manufacturing industry remains. Furthermore, it represents the only building of its type in the central Denver area and it is eligible for listing on the NRHP under Criterion A in the areas of Agriculture, Commerce, and Industry with a period of significance of 1928 to 1972.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** Although there would be visual and historic setting changes in the area from the widening of the existing elevated I-70, there would be no ROW acquisition of any portion of the property associated with the No-Action Alternative, North Option. The facility was constructed in 1928, prior to the construction of the I-70 viaduct, and has continued to operate at this location since the construction of the viaduct in 1964. Thus, the reconstruction of the viaduct and associated noise and visual changes would have no impact on the integrity of association with agriculture, commerce, or industry in the Denver Metropolitan area. The facility has relied on the rail network for receiving and shipping goods and this proximity has played a key role in its operations. Although the I-70 viaduct was constructed during the period of significance of the Purina facility, its replacement does not have a major impact on its historic integrity, since the plant did not depend on the highway for operations. The widening of I-70 and reconstruction of the interstate would not change the overall visual character of the area in a manner that would diminish the characteristics of the resource that qualify it for the NRHP under Criterion A. The visual changes or changes in noise levels introduced by the undertaking do not diminish the integrity of the property's character-defining features and would not alter the characteristics that qualify it for inclusion in the NRHP. Therefore, the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.

- **No-Action Alternative, South Option:** The No-Action Alternative, South Option would expand the existing width of the bridge from Brighton Boulevard to Colorado Boulevard by more than 50 feet to the south. This expansion results in the viaduct's southern edge extending through the Nestlé Purina PetCare Company. An off-ramp would be provided to access York Street, which is directly east of the facility. This interchange further encroaches on the building and crosses the northeast corner of the facility, resulting in the full acquisition of the entire property (9.95 acres) and demolition of the buildings. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a finding of **Adverse Effect** to this historic property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Under this alternative, the wider replacement viaduct proposed would maintain a relationship with this resource similar to the existing viaduct, since the expansion of the interstate and majority of associated improvements would occur north of the existing interstate corridor while this property is located to the south. The resource is currently located immediately adjacent to the highway. Under this alternative, the resource would be 39 feet from the viaduct. No direct effects to the resource are identified under this alternative. No permanent or temporary easements or ROW acquisitions are required from the property. Indirect effects would be present, such as increased noise and visual effects from an increase in the visible mass of the highway and the proposed installation of 12-foot-high noise walls located 39 feet from the historic resource. The proposed noise walls would help off-set the anticipated increase in noise levels; however, the walls themselves represent a new visual element in the setting of the resource.

This proposed alternative would replace the existing viaduct; because this feature does not support the historic operation or associations of the subject resource, its replacement would not diminish the characteristics of the resource that qualify it for inclusion in the NRHP. The proposed widening of the replacement viaduct would represent a larger visual mass in the setting of the resource, but would not detract from association of the resource with the adjacent rail network or its integrity of feeling and association relative to industry and commerce.

The addition of the proposed noise walls would provide a reduction in noise to help off-set an anticipated increase in noise levels. The walls themselves represent a new visual feature in the setting of the resource, which would be visible from the resource. However these walls would not diminish the integrity of association the resource holds with agriculture, commerce, or industry in the Denver Metropolitan area.

Because the proposed improvements would not diminish the character-defining features that qualify the resource for inclusion on the NRHP, CDOT concluded that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative, South Option:** The Revised Viaduct Alternative, South Option would result in the full acquisition of this property and demolition of the buildings, which would result in an **Adverse Effect** to this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** This property would not be directly affected through temporary or permanent easements or ROW acquisitions related to constructing the Partial Cover Lowered Alternative. Currently, the viaduct is located immediately adjacent to the historic resource boundary. The lowered highway proposed under this alternative would be located 80 feet from the historic resource. Indirect effects derived from changes in noise and a change in the setting resulting from the removal of the viaduct and placement of the interstate below grade are anticipated.

This proposed alternative would remove the existing viaduct; because this feature does not support the historic operation or associations of the subject resource, its removal would not

diminish the characteristics of the resource that qualify it for inclusion in the NRHP. Given the setting of the resource with industry and commerce; elevated noise is a part of the historic component of the resource setting. The placement of the interstate below grade would represent a change in the setting of the resource, but would not detract from the association of the resource with the adjacent rail network or its integrity of feeling and association relative to industry and commerce.

Because the proposed improvements would not diminish the character-defining features that qualify the resource for inclusion on the NRHP, CDOT concluded that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for this property.

### **Sanchez Business, 2381 East 46th Avenue (5DV9655)**

This is a one-story, irregular-plan, brick, commercial-use building with a flat roof located in a primarily commercial area, located north of I-70. The zigzag metal sign on the roof and wood horizontal shingles on the roof have been repainted. The period of significance of the subject resource, which is eligible under Criteria A and C, is limited to 1952. The resource retains a sufficient degree of integrity of association, feeling, design, workmanship, and materials to express significance for its association with the social history of the Swansea area during the Post-World War II era and as a good example of a neighborhood gas station. The resource did not depend on the highway for its operations, as there is no direct access between the interstate and the historic gas station. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The No-Action Alternative, North Option would require the full acquisition of this resource and demolition of the building for the new viaduct structure. Therefore, CDOT concluded that the No-Action Alternative, North Option would result in an **Adverse Effect** to this resource.
- **No-Action Alternative, South Option:** The Sanchez business is currently located immediately adjacent to the existing viaduct. Under the No-Action Alternative, South Option this property would be located directly north of the reconstructed viaduct and 15 feet away. The No-Action Alternative, South Option would require the permanent acquisition 0.015 acres of land (or 7.5 percent) from the southern edge of the property. The limited ROW acquisition would result in an impact to a portion of the parcel south of the buildings to allow construction access for the planned improvements to I-70 and East 46th Avenue.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall at this location. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed 15 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be placed at approximately the same location as the piers for the existing northern edge of the viaduct. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource. Because part of the historic resource boundary of the resource would be permanently acquired, CDOT concluded that the No-Action Alternative, South Option would result in an **Adverse Effect** to this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would reconstruct and expand the viaduct so that the highway alignment shifts up to 160 feet north of the existing I-70 alignment. This property would be acquired in full and the building



would be demolished as a result. Therefore, CDOT concluded that the Revised Viaduct Alternative, North Option would result in an **Adverse Effect** to this property.

- **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the Revised Viaduct Alternative, South Option, the highway would be 26 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 27 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 10-foot-tall noise walls, which would be placed 25 feet away from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be placed at approximately the same area as the piers for the existing northern edge of the viaduct. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Either option of the Partial Cover Lowered Alternative would result in the full acquisition of this property and demolition of the building. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to this property.

### **Brown and Alarid Property, 4637 Claude Court (5DV9667)**

This is a one-story, rectangular-plan, residential building with primarily asbestos siding and a front-gabled roof, located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1886. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of a Late-Victorian Vernacular building with bungalow-type massing. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property would be located directly north of the reconstructed viaduct under the No-Action Alternative, North Option. The Brown and Alarid Property is currently located 157 feet north of the existing viaduct. The reconstructed viaduct would be located approximately 91 feet closer than the existing viaduct, and the northern limit of the viaduct would be approximately 66 feet south of this property. No temporary or permanent easements or ROW acquisitions would be acquired from the property. There would be indirect effects in the form of visual and historic setting changes in the area. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. Construction of 12-foot-tall noise walls, which would be placed 66 feet from the resource, do represent a modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and wider viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option except the resource would be approximately one foot farther away from the highway. Currently, the resource is located 157 feet from the existing viaduct. Under the proposed alternative, the resource would be 158 feet from the resource. The proposed 12-foot-tall noise walls also would be located 158 feet from the resource. The existing viaduct is 30 feet tall at this location and it would be 33 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Located just east of the Union Pacific Railroad tracks, this property would not be subject to temporary or permanent easements or ROW acquisition for the option. Currently, the resource is situated 157 feet from the viaduct. Under this alternative, the resource would be 107 feet closer to the viaduct, or 50 feet from the new elevated and wider viaduct. The existing viaduct is 30 feet tall at this location, and it would be 32 feet tall under this alternative. The resource would be subject to indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. However, construction of 10-foot-tall noise walls, which would be placed 49 feet from the resource, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option except the interstate is approximately 157 feet south of this property and it would shift approximately 46 feet farther to the south. The revised viaduct would be located 203 feet from the historic resource. The proposed 10-foot-tall noise walls would be located 202 feet from the resource, which is farther away than the existing viaduct. The existing viaduct is 30 feet tall at this location and it would be 32 feet tall under this alternative. CDOT concluded there would be **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The Partial Cover Lowered Alternative would result in the full acquisition of this property and demolition of the building. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to this property.

### **Toth/Kelly Residence, 4639 Claude Court (5DV9668)**

This building is a one-story, rectangular-plan house constructed primarily with asbestos siding and a front gabled roof, located north of I-70. The property is terraced and special features include a square masonry chimney, a porch, and etched glass windows. The 2012 survey was unable to find a window on the west façade, indicating it may have been covered up by wood lattice or no longer remains intact. The period of

significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1889. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located immediately west of the Union Pacific Railroad tracks and 235 feet north of the existing viaduct. Under this option, the viaduct would be located approximately 164 feet from the proposed viaduct. No direct effects in the form of temporary or permanent easements or ROW acquisitions would be required for this alternative. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 30 feet tall at this location. Under this alternative, the viaduct would be 33 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. However, 12-foot-tall noise walls, which would be placed 94 feet from the resource, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would experience similar effects as the No-Action Alternative, North Option. The resource is currently located 235 feet from the viaduct. Under this alternative; the viaduct would be seven feet farther away, or 240 feet from the resource. The existing viaduct is 30 feet tall at this location, whereas the viaduct would be 33 feet tall under this alternative. The proposed 12-foot-tall noise walls would be located 186 feet from the resource. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property is currently located 235 feet from the historic resource. Under this alternative, the viaduct would be situated 78 feet from the historic resource. There are no direct effects to the resource from temporary or permanent easements or ROW acquisition identified under the Revised Viaduct Alternative, North Option. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. The existing viaduct is 30 feet tall at this location and it would be 32 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 10-foot-tall noise walls, which would be placed 78 feet from the resource, do represent a new modern element in the setting of the resource.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.



- **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. The interstate is currently 235 feet south of this property, while the new viaduct would be located 228 feet south of the resource. Under this option, 10-foot-tall noise walls would be constructed 228 feet from the resource boundary. The existing viaduct is 30 feet tall at this location, but it would be 32 feet tall under this alternative. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Either option of the Partial Cover Lowered Alternative would result in the full acquisition of this property and demolition of the building. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to this property.

#### **Castorena/Braswell Residence, 4631 Columbine Street (5DV9705)**

This is a one-story, rectangular-plan residential building of brick construction with a front gabled roof, located north of I-70. The 2012 survey found the front west façade window has been replaced with a divided-light window. A black security door has been added to the front door. The wood window on the south façade has been replaced with a vinyl double-hung window. The eave trim on the third roof gable also has been repainted. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1888. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located on the north side of I-70, 191 feet from the existing viaduct. Under this alternative, the viaduct would remain in its current location but expand 53 feet to the north, closer to this building. The new highway would be located 138 feet from the historic resource. There are no direct effects associated with the work, and no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include increases in noise and visual changes to the setting. The existing viaduct is 25 feet tall at this location, and it would be 29 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 12-foot tall noise walls, which would be placed 138 feet from the resource and separated from the resource by Steavenson Place, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence of that setting feature.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the resource is located 191 feet from the viaduct. Under this alternative, the building would be 210 feet from the viaduct structure and the proposed 12-foot-tall noise walls would be 210 feet from the resource. The existing viaduct is 25 feet tall at this location and it would be 29 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property would not be subject to temporary or permanent easements or ROW acquisition under this option. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 10-foot-tall noise walls, which would be placed 73 feet from the resource, do represent a modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource. The existing structure and the proposed structure would be the same height at this location: 25 feet tall.

Though the noise walls and wider viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. The interstate is currently 191 feet south of this property and it would be 219 feet south of the resource under this alternative. In addition, the proposed 10-foot-tall noise walls also would be 219 feet from the resource to the south of the existing interstate. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** to this property.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Castorena/Braswell Residence is situated 191 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located 47 feet from the interstate. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the change in noise, demolition of the existing viaduct, and placement of the highway below grade 144 feet closer to this resource represent a change in the resource setting, these changes would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Pavon Residence, 4633 Columbine Street (5DV9706)**

This is a one-story, rectangular-plan, residential building of brick construction with a front gabled roof, located north of I-70. The 2012 survey found the trim on the property has been repainted and the west façade door has been replaced. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1899. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70, 217 feet from the existing viaduct. Under this alternative, the viaduct would remain in its current location but expand 52 feet to the north, closer to this building. The new highway would be located 165 feet from the historic resource. There are no direct effects associated with the work as no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include increases in noise and visual changes to the setting. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. The existing viaduct is 25 feet tall at this location and it would be 29 feet tall under this alternative. Twelve-foot-tall noise walls, which would be placed 165 feet from the resource and blocked from view of the resource by another building and Steavenson Place, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise wall and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. The resource is located 217 feet from the existing viaduct. Under this option, the improvements would be 236 feet from the resource, or 19 feet farther away from the resource. The proposed 12-foot-tall noise walls would be located 236 feet from the resource. The existing viaduct is 25 feet tall at this location and it would be 29 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property would not be subject to temporary or permanent easements or ROW acquisition under this option. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. The existing viaduct height of 25 feet would be maintained under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 10-foot-tall noise walls, which would be placed 95 feet from the resource, do represent a new modern element in the setting of the resource. The undertaking would involve replacing the existing elevated I-70 with another elevated and wider highway to the north, coming approximately 122 feet closer to the property. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and wider viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. The interstate is currently 217 feet south of this property and it would be 243 feet south of the resource under this alternative. The proposed 10-foot tall noise walls would be located 243 feet from the resource. The existing viaduct is 25 feet tall at this location and it would maintain that same height under this alternative. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** to this property.

- **Partial Cover Lowered Alternative**



- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Pavon Residence is situated 217 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located 72 feet from the interstate. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the change in noise levels, demolition of the existing viaduct, and placement of the highway below grade 145 feet closer to this resource represent a change in the resource setting, these changes would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Langenberg Property, 4502 Josephine Street (5DV9742)**

This is a one-and-one-half-story, rectangular-plan, Classic Cottage style residential building, located south of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1909. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Classic Cottage architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located east of Josephine Street and 293 feet south of the existing viaduct. Under this alternative, the interstate would be located 305 feet from the historic resource. No direct effects to the resource are identified under this alternative. No permanent or temporary easements or ROW acquisitions are required from the property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. However, 12-foot-tall noise walls, which would be placed 305 feet from the resource, do represent a new modern element in the setting of the resource. The proposed noise walls would be situated on approximately the location of the piers supporting the existing viaduct and separated from the proposed noise walls by five buildings, which would block the line of sight.

Though the noise walls and the altered viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. The resource is currently located 293 feet from the existing viaduct. Under this option, the resource would be 234 feet from the viaduct and the proposed 12-foot-tall noise walls would be 234 feet from the historic resource. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. CDOT has concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** to this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option maintains the current proximity of the interstate to this property. There are no direct effects to the resource by way of temporary or permanent easements or ROW acquisitions to this resource identified under this alternative. The property would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 24 feet tall at this location and it would be 27 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 12-foot-tall noise walls, which would be placed 298 feet from the resource and roughly on the same area as the piers supporting the existing viaduct, do represent a new modern element in the setting of the resource. The proposed noise walls would be separated from the resource by five other buildings and would not be in direct view of the resource. The viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls, which would be constructed on the same location as the piers that support the existing viaduct, and the altered viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would involve replacement of the existing elevated I-70 with another elevated and wider highway and reconstruction of the York Street Interchange. This property is located south of I-70 and between East 46th Avenue and East 45th Avenue, about half a city block from the proposed reconstructed interchange. There would be no temporary or permanent easements or ROW acquisition of any portion of the property, which is situated 293 feet from the existing viaduct, but the interstate would be 139 feet closer to the property than its current location. In addition, the existing viaduct is 24 feet tall. Under this alternative, the viaduct would be 27 feet tall. As a result, there would be indirect effects in the form of noise, visual, and historic setting changes caused by the removal of several homes that are currently located between this property and the interstate. However, 12-foot-tall noise walls, which would be placed 152 feet from the resource, do represent a new modern element in the setting of the resource.

Though the noise walls, wider and taller viaduct, and the proximity of the reconstructed interchange proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** The Langenberg Residence is situated 293 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would result in the highway being approximately 43 feet farther away from this property, or 336 feet from the resource. This property would not be affected directly through temporary or permanent easements or ROW acquisitions related to construction of either option. There would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the proposed noise walls, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, these changes would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on

the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Kenworthy/Wyckoff Residence, 4529 Josephine Street (5DV9745)**

This is a one-story, brick, rectangular plan, residential building with a side-gabled roof, located south of I-70 and east of the York Street Interchange. The 2012 survey found no modifications to the property since the previous survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1926. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Craftsman/Bungalow architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences, commercial, and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The Kenworthy/Wyckoff Residence is located 141 feet from the existing viaduct. Under the proposed alternative, the viaduct improvements would be located 159 feet from the historic resource. There would be no temporary or permanent easements or ROW acquisition associated with this option. There would be indirect effects in the form of noise, visual, and historic setting changes in the area from the replacement of the existing elevated I-70 viaduct and reconstruction of the York Street Interchange. The York Street off-ramp would be removed and replaced in the same location, including improvements to the curve coming off the interstate. The existing viaduct is 23 feet tall at this location and it would be 26 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 12-foot-tall noise walls, which would be placed 159 feet from the resource and separated from the building by a parking lot and large commercial building, do represent a new modern element in the setting of the resource. The noise walls would be placed at approximately the same location as the existing piers that support the current viaduct.

Though the noise walls, modified viaduct, and reconstructed interchange proposed under this alternative represent a change in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. However, under this alternative, the resource would be located 83 feet from the revised viaduct. It is currently located 141 feet from the existing viaduct. The proposed 12-foot-tall noise walls would be located 83 feet from the resource. The existing viaduct is 23 feet tall and it would be 26 feet tall at this location. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The resource is currently located 141 from the viaduct. Since the majority of the impact would occur on the north side of I-70, the resource would be 152 feet from the viaduct. The existing viaduct is 23 feet tall at this location and it would be 29 feet tall under this alternative. There would not be any direct effects from temporary or permanent easements or ROW acquisitions from this property for this option. It would experience indirect effects in the form of noise, visual, and historic setting changes. The residential property would experience an increase in traffic noise over time due to the freeway widening and added capacity. Noise walls adjacent to the highway would provide a reduction in elevated noise levels, which would help offset this effect. Visual effects would result from the



increase in the visible mass of the highway and the proposed 12-foot-high noise walls, which would be situated 152 feet from the resource.

Though the noise walls and changes to the viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This property is located south of I-70 and east of the York Street Interchange. In this area, the Revised Viaduct Alternative, South Option would extend the southern highway edge 136 feet farther south and widen and shift East 46th Avenue to the south. This would result in the southern edge of the viaduct being constructed over a portion of the Kenworthy residence and the East 46th Avenue alignment going through the center of the property. This would result in the full acquisition the parcel and the demolition of the building. CDOT concluded the Revised Viaduct Alternative; South Option would result in an **Adverse Effect** to the property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Kenworthy/Wyckoff Residence is located 141 feet south of the existing viaduct. The Partial Cover Lowered Alternative would result in the highway being approximately 189 feet from this property. In addition, the York Street Interchange, located west of the resource, would be reconstructed. This property would not be affected directly through temporary or permanent easements or ROW acquisitions related to construction of the option. There would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the removal of the viaduct and placement of it below grade, as well as the reconstruction of the York Street Interchange proposed under this alternative, represent a change in the setting of the resource, these alterations would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Portales Residence, 4608 Josephine Street (5DV9746)**

This building is a one-story, wood-sided, rectangular-plan house with a front gabled roof, located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1889. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The No-Action Alternative, North Option would require the full acquisition of this property, since the building would be demolished for the new viaduct structure. Therefore, CDOT concluded that the No-Action Alternative, North Option would result in an **Adverse Effect** to this resource.

- **No-Action Alternative, South Option:** Currently, the resource is situated immediately north of the existing viaduct. The No-Action Alternative, South Option would require permanent acquisition of 0.0212 acres of the 0.1585-acre lot, or 13 percent. The ROW acquisition would result in an impact to a portion of the parcel south of the buildings to allow construction access for the planned improvements to I-70 and East 46th Avenue. A fence is currently located along the southern edge of the resource. The historic building would not be impacted as part of the acquisition and would remain intact. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 15 feet from the resource at roughly the same location as the existing viaduct piers, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a change to the visual presence in the setting of the resource. Because the alternative proposes to acquire 13 percent of the lot where a chain-link fence is currently located CDOT concluded that the No-Action Alternative, South Option would result in an **Adverse Effect** to the resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would reconstruct and expand the viaduct so that the highway alignment shifts up to 160 feet north of the existing I-70 alignment. This property would be acquired in full and the building would be demolished as a result. Therefore, CDOT concluded that the Revised Viaduct Alternative, North Option would result in an **Adverse Effect** to this property.
  - **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. The interstate is currently immediately adjacent to this property. Under this alternative, the revised viaduct would be 26 feet from the resource. There would not be any direct effects in the form of temporary or permanent easements or ROW acquisitions. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 24 feet tall at this location and it would be 27 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 10-foot-tall noise walls, which would be placed 26 feet from the resource on approximately the same location as the piers supporting the existing viaduct, do represent a new modern element in the setting of the resource.

Though the noise walls located adjacent to this property on approximately the same location as the piers that support the existing viaduct and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Either option of the Partial Cover Lowered Alternative would result in the acquisition of this property and demolition of the building. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to this property.

### **Chavez Residence, 4628 Josephine Street (5DV9748)**

This is a one-story, rectangular-plan, residential building constructed of wood and stucco with a front gabled roof, located north of I-70. The 2012 survey found the wood trim has been repainted. The front fence also has been replaced. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1890. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian

architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70 and is currently situated 192 feet from the existing viaduct. Under this alternative, the viaduct would remain at its current location, but would expand 57 feet to the north, closer to this building. The new improvements would be located 135 feet from the historic resource. No direct effects to the resource are identified under this alternative. No permanent or temporary easements or ROW acquisition are required from the property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls that would help offset the increase in noise. However, the construction of 12-foot-tall noise walls—which would be placed 135 feet from the resource and south of Steavenson Place, which is located south of the resource—does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. The Chavez Residence is currently located 192 feet from the viaduct. Under this alternative, the resource would be located 210 feet from the new viaduct structure. In addition, 12-foot-tall proposed noise walls would be located 210 feet from the historic resource. The existing viaduct is 24 feet tall at this location and the proposed structure would be 28 feet tall. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** Currently, the Chavez Residence is located 192 feet from the existing viaduct structure. Under the Revised Viaduct Alternative, North Option, the viaduct would be replaced and the new elevated highway structure would move 119 feet closer to the resource, or 73 feet from the resource. No direct effects to the resource are identified under this alternative, since no temporary or permanent easements or ROW acquisition are required under this alternative. The current viaduct is 24 feet tall at this location and it would be 27 feet tall under this alternative. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls that would help offset increased noise levels. However, construction of 10-foot-tall noise walls, which would be placed 73 feet from the resource, roughly along the current alignment of Steavenson Place, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion,



their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The interstate is currently 192 feet south of this property and would remain a similar distance from the highway under the Revised Viaduct Alternative, South Option. The proposed 27-foot-tall structure would be located 219 feet from the resource. The proposed 10-foot-tall noise walls would be situated 219 feet from the resource. The resource would experience similar effects as the Revised Viaduct Alternative, North Option. CDOT concluded the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The resource is currently located 192 feet from the existing viaduct structure. The Partial Cover Lowered Alternative would shift the highway to the north, so it would be 43 feet from the historic resource. There would be no direct effects to the resource, since there are no temporary or permanent easements or ROW acquisitions required from this property. There would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the lowering of the viaduct and alterations to the setting constitute a change from the current condition, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Waggoner Residence, 4647 Josephine Street (5DV9751)**

This is a one-story, rectangular-plan house constructed of stucco and wood with a gabled-on-hip roof, located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1890. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The Waggoner Residence is situated 280 feet from the existing viaduct on the north side of I-70. Under this alternative, the viaduct would remain in its current location but expand 58 feet to the north, bringing the highway's north edge 222 feet from the historic resource. There are no direct effects associated with the work, since no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 222 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be situated south of Steavenson Place and two buildings would be located between the resource and the proposed noise walls, so

they would not be in direct line of sight. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the resource is located 280 feet from the existing viaduct. Under this alternative, the resource would be 294 feet from the modified structure. Proposed 12-foot-tall noise walls would be 294 feet from the historic resource. The existing structure is 24 feet tall, whereas the proposed structure would be 28 feet tall. CDOT concluded that the No-Action Alternative, South Option also would result in a **No Adverse Effect** to this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Waggoner Residence is currently located 280 feet from the existing viaduct. Under this alternative, the viaduct would be replaced by another elevated viaduct that would be located 123 feet closer to this resource, or 157 feet from the historic resource boundary. The existing viaduct is 24 feet tall, whereas under this alternative the proposed viaduct would be 27 feet tall. This property would not be subject to direct effects, since no temporary or permanent easements or ROW acquisition would be required for the Revised Viaduct Alternative, North Option. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 10-foot-tall noise walls, which would be placed 155 feet from the resource, roughly on the current alignment of Steavenson Place, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the noise walls and wider and taller viaduct proposed under this alternative represent a larger visual presence in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The interstate is currently 280 feet south of this property and it would be 305 feet from the viaduct under the Revised Viaduct Alternative, South Option. The proposed 10-foot-tall noise walls would be constructed south of Steavenson Place and 305 feet from the historic resource. Two buildings would be located between this resource and the proposed noise walls, so they would not be in the direct line of sight. This alternative would cause similar effects as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Waggoner Residence is located 280 feet from the viaduct structure. The Partial Cover Lowered Alternative would result in the highway being approximately 153 feet closer to this property, or 127 feet from the resource, and would include improvements to Josephine Street along the eastern boundary. There would be no temporary or permanent easements or ROW acquisitions from this property

related to constructing the Partial Cover Lowered Alternative. Indirect effects related to noise, visual, and setting changes in the area would occur due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the change in noise levels, demolition of the existing viaduct, and placement of the highway below grade 52 feet closer to this resource represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative, North Option would result in a determination of **No Adverse Effect**.

### **James Residence, 4651 Josephine Street (5DV9753)**

This is a one-story, rectangular-plan, residential building of brick construction with a gabled-on-hip roof, located north of I-70. The 2012 survey found the trim on the property has been repainted. The details of the alternating corbelled diamond-shaped elements on the front porch, noted in the 2006 site form, are no longer visible. They have either been removed or repainted. The front porch floor has been carpeted and a large crack has appeared in the middle of the stucco porch wall. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1890. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70. The James Residence is currently situated 315 feet from the existing viaduct. Under this alternative, the viaduct would remain in its current location but expand 57 feet to the north, closer to this building. The new improvements would be located 258 feet from the historic resource boundary. No direct effects to the resource are identified under this alternative, since no permanent or temporary easements or ROW acquisitions are required from the property. Potential indirect effects include visual changes to the setting and increases in noise. The proposed viaduct would be 28 feet tall, four feet taller than the existing viaduct. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 258 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be constructed south of Steavenson Place and between three other buildings and the resource, so they would not be in the direct line of sight. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have similar effects as the No-Action Alternative, North Option. Currently, the viaduct is located 315 feet from the historic resource. Under this alternative, the modified viaduct would be 337 feet from the resource and the proposed 12-foot-tall noise walls would be 337 feet from the James Residence. The existing viaduct is 24 feet tall, whereas the proposed viaduct would be 28 feet tall. CDOT concluded that



the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** Currently located 315 feet from the existing viaduct, the James Residence would be situated 194 feet from the revised viaduct under this alternative. The undertaking would involve replacement of the existing elevated I-70 with another elevated and wider highway to the north, coming approximately 121 feet closer to the property. The existing viaduct is 24 feet tall, whereas the proposed viaduct would be 27 feet tall. This property would not be subject to temporary or permanent easements or ROW acquisition under this alternative and no direct effects are anticipated. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 10-foot-tall noise walls, which would be placed 193 feet from the resource on roughly the current alignment of Steavenson Place south of the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The interstate is currently 315 feet south of this property and it would be 342 feet from the historic resource under this alternative. The proposed 10-foot-tall noise walls would be 342 feet from the resource. The existing viaduct is 24 feet tall and the proposed viaduct would be 27 feet tall. Under this alternative, the James Residence would experience similar effects as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** to this property.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the James Residence is situated 315 feet from the existing viaduct. Both of the Partial Cover Lowered Alternatives would shift the highway to the north, resulting in the historic property being located approximately 166 feet from I-70, or 149 feet closer than its current proximity to I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 149 feet closer to this resource represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Krutzler/Barajas Residence, 4681 Josephine Street (5DV9761)**

This is a one-story, rectangular-plan, residential building of brick construction with a flat roof, located north of I-70. The 2012 survey found the porch floor indoor/outdoor carpeting has been removed and the concrete repainted. New flashing on the porch roof conceals the middle third of the decorative brickwork on the front parapet. In the rear, there is an aluminum carport located on the southwestern corner of the property. The

period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1911. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Denver Terrace architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70, 508 feet from the existing viaduct. Under this alternative, the viaduct would remain in its current location but expand 61 feet to the north, locating the new highway 447 feet from the historic resource. There are no direct effects associated with the work, since no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct at this location is 24 feet tall. The proposed viaduct at this location would be 28 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 446 feet from the resource and south of Steavenson Street, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the Krutzler/Barajas Residence is located 508 feet from the historic resource boundary. Under this alternative, the resource would be located 520 feet from the viaduct. The proposed 12-foot-tall noise walls also would be 520 feet from the historic resource. The existing viaduct is 24 feet tall and the proposed viaduct under this alternative would be 28 feet tall. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This resource is located 508 feet from the existing viaduct. Under this alternative, the revised viaduct would be shifted to the north 130 feet and the resource would be located 378 feet from the new structure. Currently, the viaduct is 24 feet tall at this location. Under this alternative, it would be 27 feet tall. This property would not be subject to direct effects, since no temporary or permanent easements or ROW acquisition are required for the Revised Viaduct Alternative, North Option. There would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. However, construction of these 10-foot-tall noise walls, which would be placed 378 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural

significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The interstate is currently 508 feet south of this property and would be 530 feet from the resource as a result of the Revised Viaduct Alternative, South Option. The proposed 10-foot-tall noise walls also would be 530 feet from the resource. The existing viaduct is 24 feet tall at this location and the revised viaduct would be 27 feet tall. Under this alternative, the resource would experience similar effects as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Krutzler/Barajas Residence is located 508 feet north of the existing viaduct. This property would not be affected directly through temporary or permanent easements or ROW acquisitions related to constructing the Partial Cover Lowered Alternative. The alternative would result in the highway being approximately 155 feet closer to this property on the north side of I-70, or 353 feet from the resource. Indirect effects related to noise, visual, and setting changes in the area would occur due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 59 feet closer to this resource represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Geo Trust/Araujo Residence, 4682 Josephine Street (5DV9762)**

This is a one-story, rectangular-plan, residential building of brick construction with a front gabled roof, located north of I-70. The 2012 survey found the front porch trim and roof trim have been repainted. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1883. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located on the north side of I-70, 530 feet from the existing viaduct. Under this alternative, the viaduct would be rebuilt 474 feet from the historic resource. There are no direct effects associated with the work, since no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall, whereas the new structure would be 28 feet tall at this location. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls that would help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which also would be placed 474 feet from the resource, does introduce a new modern element in the setting of the resource. Steavenson place and 10 other buildings are situated between the resource and the proposed noise walls, so they would not be in the direct line of sight. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.



Though the change in noise levels, construction of noise walls a block from the resource, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have similar effects as the No-Action Alternative, North Option. Currently, the Geo Trust/Araujo Residence is located 530 feet from the existing viaduct. Under this alternative, the viaduct would be situated 551 feet from the resource and the proposed 12-foot-tall noise walls also would be located 551 feet from the resource. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The resource is currently located 530 feet from the existing viaduct. Under this alternative, the viaduct would be widened to the north by approximately 120 feet. The new viaduct structure would be located 410 feet from the historic resource. The existing viaduct is 24 feet tall, whereas the proposed viaduct under this alternative would be 27 feet tall. This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option. There would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls that would help offset increased noise levels. However, the construction of the proposed 10-foot-tall noise walls, which would be placed 410 feet from the resource on the current alignment of Steavenson Place, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The interstate is currently 530 feet south and would be 557 feet from the resource as a result of the Revised Viaduct Alternative, South Option. The proposed 10-foot-tall noise walls would be located 557 feet from the historic resource. At this location, the existing viaduct is 24 feet tall, and it would be 27 feet tall under this alternative. Because there would be similar effects as those described in the Revised Viaduct Alternative, North Option, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Geo Trust/Araujo Residence is situated 530 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 148 feet closer to I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and elimination of the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 148 feet closer to this resource represent a change in the resource setting, their construction would

not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Lovato Residence, 4696 Josephine Street (5DV5623/5DV9765)**

This building is a one-and-a-half-story, rectangular-plan house of brick construction with a front gabled roof, located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1904. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70, 566 feet from the existing viaduct structure. Under this alternative, the viaduct would be located 512 feet from the historic resource. There are no direct effects associated with the work, since no temporary or permanent easements or ROW would be acquired from this property. Potential indirect effects include visual changes to the setting and increases in noise. At this location, the existing viaduct structure is 24 feet tall and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 512 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be placed south of Steavenson Place and 11 buildings are situated between the resource and the proposed noise walls, so they would not be in the direct line of sight. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have similar effects as the No-Action Alternative, North Option. Under this alternative, the modified viaduct structure would be located 590 feet from the historic resource. It is currently 566 feet from the resource. This represents a change of 24 feet. The proposed 12-foot-tall noise walls would be located 590 feet from the resource. There would be 13 buildings situated between the resource and the proposed noise walls, so they would not be in the direct line of sight. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Lovato Residence is currently located 566 feet from the resource. Under this alternative, the existing 24-foot-tall elevated I-70 would be replaced with a new 27-foot-tall elevated structure that would be 131 feet closer to the property. The revised structure would be located 435 feet from the resource. This property would not be subject to direct effects, since no temporary or permanent easements or ROW acquisition are required for the Revised Viaduct Alternative, North Option. However, there would be indirect

effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls that would help offset increased noise levels. However, the construction of 10-foot-tall noise walls, which would be placed 435 feet from the resource, does introduce a new modern element in the setting of the resource. Eleven other buildings would impede the line of sight from this resource to the proposed noise walls, so the walls would not be in direct view of the historic resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The interstate is currently 566 feet south of this property and it would be in a similar location as a result of the Revised Viaduct Alternative, South Option. The revised viaduct structure would be 581 feet from the historic resource, or 15 feet farther away, and the proposed 10-foot-tall noise walls also would be 581 feet from the resource. The proposed viaduct would be three feet taller than the existing viaduct at this location. Under this alternative, the Lovato Residence would experience similar effects as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Lovato Residence is situated 566 feet from the existing viaduct. Either of the Partial Cover Lowered Alternatives would shift the highway to the north, resulting in the historic property being located approximately 159 feet closer to I-70, or 407 feet from the interstate. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 159 feet closer to this resource represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Portales Residence/Windsor Artesian Water Company, 4623–4625 Thompson Court (5DV9787)**

This is a one-story, rectangular-plan, residential building with wood siding and a front gabled roof located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1893. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**



- **No-Action Alternative, North Option:** 5DV9787 is located directly north of 5DV7130, Colonial Manor Motel/Tourist Court, which would be demolished as a result of the No-Action Alternative, North Option. The Portales Residence/Windsor Artesian Water Company building sits on a large parcel and is currently located 262 feet north of the existing viaduct. The replacement viaduct would be widened and would be approximately 63 feet closer to the property, or 199 feet from the resource. There are no direct effects associated with the proposed work, since no temporary or permanent easements or ROW acquisitions would be acquired from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and would be 26 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls that would help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 199 feet from the resource, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have similar effects as the No-Action Alternative, North Option. Currently, the viaduct is located 262 feet from the resource. Under this alternative, the replacement viaduct would be two feet farther south from the resource, or 264 feet from the property. The proposed 12-foot-tall noise walls also would be located 264 feet from the resource, on approximately the same location as the piers that support the existing viaduct. The existing viaduct is 24 feet tall at this location and it would be 26 feet tall under this alternative. CDOT has concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Currently, the viaduct is located 262 feet from the resource. Under this alternative, the resource would be 123 feet closer to the viaduct, or 139 feet from the viaduct. The proposed viaduct would be three feet taller. This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 10-foot-tall noise walls, which would be placed 139 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The interstate is currently 262 feet south of this property; under this alternative, it would be 271 feet from the property. The proposed 10-foot-tall noise walls would be constructed 267 feet from the historic resource. The existing viaduct is 24 feet tall at this location and it would be 27 feet tall under this alternative. The Portales Residence/Windsor Artesian Water Company would experience similar effects as the Revised

Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** to this property.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Portales Residence/Windsor Artesian Water Company is situated 262 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 161 feet closer to I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 161 feet closer to this resource represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Stop-N-Shop Food Store, 4600 York Street (5DV9801)**

This is a one-story, L-shaped plan, commercial-use building constructed of brick with a flat roof. The 2012 survey found most of the windows on the western, northern, and eastern facades have been replaced with vinyl, double-hung windows. The door on the north façade has been replaced with a security door. The metal-channeled horizontal frieze on the southern, western, and eastern facades has been repainted red. The period of significance of the subject resource, which is eligible under Criterion A, is 1941. The resource retains a sufficient degree of integrity of association, feeling, design, workmanship, and materials to express significance as a 20th-Century modernistic gas station. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The No-Action Alternative, North Option would require the full acquisition of the property and demolition of the building for the new viaduct structure. Therefore, CDOT has concluded that the No-Action Alternative, North Option would result in an **Adverse Effect** to this resource.
- **No-Action Alternative, South Option:** Currently, the resource is located immediately adjacent to the existing viaduct. This property would be located 17 feet north of the reconstructed viaduct under the proposed No-Action Alternative, South Option. This alternative would require permanent acquisition of 0.017 acres, or 7 percent of the property. The limited ROW acquisition would result in an impact to a paved portion of the parcel south of the buildings that is currently used for parking to allow construction access for the planned improvements to I-70 and East 46th Avenue. The historic buildings would remain intact.

This option would result in indirect effects due to visual and historic setting changes. The change to the setting consists of rebuilding the viaduct so that I-70 can continue to function in its current capacity and configuration. Although the elevated structure would be farther away from the buildings, visual effects would result from the increase in the visible mass of the wider highway and the 12-foot-high noise walls that would be constructed 17 feet from the resource. Noise modeling for this area identified the need for noise mitigation in the form of noise walls to help offset increased noise levels.

Because the alternative proposes the acquisition of 7 percent of the resource that is used for parking, CDOT concluded that the No-Action Alternative, South Option would result in an **Adverse Effect** to the resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would reconstruct and expand the viaduct so that the highway alignment shifts up to 160 feet north of the existing I-70 alignment. This property would be acquired in full and the buildings demolished as a result. Therefore, CDOT concluded that the Revised Viaduct Alternative, North Option would result in determination of **Adverse Effect** to this property.
  - **Revised Viaduct Alternative, South Option:** This property is located on the north side of I-70. The interstate is currently adjacent to this property. Under this alternative, the distance to the interstate would be 22 feet. The proposed 10-foot-tall noise walls also would be 22 feet from the resource. The existing viaduct is 23 feet tall and would be 29 feet tall under this alternative. CDOT concluded that there would be **No Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Either option of the Partial Cover Lowered Alternative would result in the full acquisition of this property and demolition of the building. Therefore, CDOT concluded that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to this property.

#### **Gonzalez Residence, 4515 Columbine Street (5DV9994)**

This is a one-story, rectangular-plan, residential building with brick masonry construction and a gabled-on-hip roof located south of I-70. The 2012 survey found that the house and most of the Queen Anne decorative features have been painted brown. Some of the trim has been painted green. Formerly, the house was white and the trim was blue, green, and yellow. There are no additional alterations. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1897. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** Currently, the Gonzalez Residence is located 241 feet from the existing viaduct. Under this alternative, the resource would be 251 feet from the viaduct. There would be no temporary or permanent easements or ROW acquisition associated with the No-Action Alternative, North Option and, therefore, no direct effects are anticipated. Potential indirect effects include visual changes to the setting and increases in noise as a result of replacing the existing I-70 viaduct and replacing the York Street off-ramp, including improvements to the curve coming off the interstate. The existing viaduct is 25 feet tall at this location and it would be four feet taller under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. The proposed noise walls would be constructed on approximately the same location as the piers supporting the existing viaduct. However, 12-foot-tall noise walls, which would be placed 251 feet from the resource, do represent a new modern element in the setting of the resource. Eleven buildings situated between the Gonzalez Residence and the proposed noise walls would impede the line of sight from the residence. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.



Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar impact as the No-Action Alternative, North Option. Currently, the Gonzales Residence is located 241 feet from the existing viaduct. Under this alternative, the resource would be situated 182 feet from the modified viaduct structure. The proposed 12-foot-tall noise walls also would be located 182 feet from the resource. There would be nine buildings situated between the residence and the proposed noise walls, so they would not be in the direct line of sight. The existing viaduct is 25 feet tall at this location and it would be 29 feet tall under this alternative. CDOT has determined that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Currently, the Gonzales Residence is located 241 feet from the existing viaduct structure. The Revised Viaduct Alternative, North Option would result in the interstate being 247 feet from the resource, as the majority of the impact would occur on the north side of I-70. The existing viaduct is 25 feet tall at this location and it would maintain the same height under this alternative. This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 12-foot-tall noise walls, which would be placed 247 feet from the resource, do represent a new modern element in the setting of the resource. The proposed noise walls would be located at approximately the same location as the piers supporting the existing viaduct and separated from the resource by eleven buildings, which would impede the line of sight from the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and wider viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** This property is located 241 feet south of I-70 and between East 46th Avenue and East 45th Avenue. The undertaking would involve replacement of the existing elevated I-70 with another elevated and wider highway of the same height and reconstruction of the York Street Interchange. There would be no temporary or permanent easements or ROW acquisition of any portion of the property associated with the Revised Viaduct Alternative, South Option, but the interstate would be 141 feet closer to the property, or 106 feet from the resource. As a result, there would be indirect effects in the form of noise, visual, and historic setting changes due to the removal of several homes that are currently located between this property and the interstate. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, 12-foot-tall noise walls, which would be placed 104 feet from the resource, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and wider viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Gonzalez Residence is situated 241 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway mostly to the north. The historic property would be located approximately 285 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 44 feet farther from this resource represent a change in the resource setting, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Tomas/Eagan Residence, 4653 Columbine Street (5DV9996)**

This is a one-and-one-half-story, rectangular-plan, residential building of brick wall construction with a hip-on-gable roof, located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1888. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian architectural style with Queen Anne elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70 across the street from Swansea Elementary School and 344 feet from the existing viaduct. There are no direct effects associated with this option in the form of temporary or permanent easements or ROW acquisitions from this property. The No-Action Alternative, North Option would result in this property being located 53 feet closer to I-70. Under this alternative, the resource would be 291 feet from the modified viaduct. The existing viaduct is 25 feet tall at this location and it would be four feet taller under this alternative. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 12-foot-tall noise walls, which would be placed 291 feet from the resource and south of Steavenson Place, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the Thomas/ Eagan Residence is located 344 feet from the existing viaduct. Under this alternative, the resource would be 358 feet from the modified structure, and the proposed 12-foot-tall noise walls also would be 358 feet from the resource. The existing viaduct is 25 feet tall at this location and it would be 29 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** to this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Tomas/Eagan Residence is located 344 feet north of the existing viaduct. This option would involve replacement of the existing elevated I-70 with another elevated and wider highway to the north, coming approximately 117 feet closer to the property. The resource would be located 227 feet from the revised viaduct. The current viaduct is 25 feet tall at this location and it would maintain the same height under this alternative. This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls; however, 10-foot-tall noise walls, which would be placed 225 feet from the resource, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and wider viaduct proposed under this alternative represent a larger visual presence and a larger setting intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The interstate is currently 344 feet south of this property and it would remain in a similar location as a result of the Revised Viaduct Alternative, South Option. Under this alternative, the viaduct would be 367 feet from the resource and the proposed 10-foot-tall noise walls would be 367 feet from the resource. The viaduct would maintain the same height as the current viaduct: 25 feet. The resource would experience similar effects as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Tomas/ Eagan Residence is situated 344 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 148 feet closer to I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 148 feet closer to this resource represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.



### **Huffman Residence, 4707 Josephine Street (5DV10058)**

This is a one-story, irregular-plan, multiple-family residential building with brick wall construction and a flat roof, located north of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1888. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Denver Terrace architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located on the north side of I-70 691 feet from the existing viaduct. Under this alternative, the resource would be located 632 feet from the viaduct, or 59 feet closer to the modified structure. There would be no direct effects associated with this option in the form of temporary or permanent easements or ROW acquisitions from this property. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed 632 feet from the resource, does introduce a new modern element in the setting of the resource. East 47th Avenue, a city block of residential buildings, and Steavenson Place would be situated between the resource and the proposed noise walls; these features would impede the line of sight from the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the Huffman Residence is located 691 feet north of the viaduct. Under this alternative, the viaduct would be improved mostly to the south and would be located 703 feet from this resource. The proposed 12-foot-tall noise walls would be constructed 703 feet from the resource boundary and would be separated from the resource by East 47th Avenue, a city block of residential buildings, and Steavenson Place; these features would impede the line of sight from the resource. At this location, the existing viaduct is 24 feet tall, whereas the proposed structure would be 28 feet tall. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
    - **Revised Viaduct Alternative, North Option:** The Huffman Residence is located 691 feet north of the existing viaduct. This option would involve replacement of the existing elevated I-70 with another elevated and wider highway to the north, coming approximately 125 feet closer to the property. Under this alternative, the resource would be located 566 feet from the revised viaduct structure. The existing viaduct is 24 feet tall at this location. Under this alternative, the viaduct would be 27 feet tall. This property would not be subject to temporary or permanent easements or ROW acquisition for the Revised Viaduct Alternative, North Option. It would experience indirect effects in the form of noise, visual, and historic setting changes. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 10-foot-tall noise walls, which would be placed

566 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be separated from the resource by East 47th Avenue and a city block of residential buildings, so they would not be in direct view from the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The interstate is currently 691 feet south of this property. Under this alternative, the revised viaduct structure would be located 714 feet from the resource and the proposed 10-foot-tall noise walls also would be 714 feet from the resource. The proposed noise walls would be separated from the resource by East 47th Avenue, a city block of residential buildings, and Steavenson Place, so these features would impede the line of sight to the resource. At this location, the existing viaduct is 24 feet tall and it would be 27 feet tall under this alternative. The resource would experience a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Huffman Residence is situated 691 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 153 feet closer to I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade 153 feet closer to this resource represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect**.

### **Clay II LLC/Rosthan Residence, 4459 Thompson Court (5DV10124)**

This is a two-story, rectangular plan, residential building with brick masonry-wall construction and a front gabled roof, located south of I-70. The 2012 survey found no modifications to the property since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1925. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Bungalow architectural type. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The resource is located 407 feet south of the existing I-70 viaduct. Under this alternative, the replacement viaduct would be located 402 feet from the resource and the York Street Interchange would be reconstructed. The York Street off-ramp

would be removed and replaced in the same location, with improvements to the curve coming off the interstate. There would be no temporary or permanent easements or ROW acquisition from this property associated with the No-Action Alternative, North Option and, therefore, no direct effects to the resource. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall, whereas the proposed structure would be 26 feet tall at this location. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of 12-foot-tall noise walls, which would be placed 402 feet from the resource, does introduce a new modern element in the setting of the resource. East 45th Avenue and a city block of residential buildings would be located between the resource and the proposed noise walls, which would be positioned at roughly the same location as the piers supporting the existing viaduct. These elements would impede the line of sight to the noise walls from the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar impact as the No-Action Alternative, North Option. Currently, the resource is located 407 feet from the existing viaduct structure. Under this alternative, the resource would be situated 342 feet from the viaduct structure and the proposed 12-foot-tall noise walls also would be 342 feet from the resource. The existing viaduct is 24 feet tall, whereas the proposed structure would be 26 feet tall at this location. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this property.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Currently, the resource is located 407 feet south of the existing viaduct. The Revised Viaduct Alternative, North Option would result in a majority of the impacts on the north side of I-70. The revised viaduct structure would be 408 feet from the historic resource. The existing viaduct is 24 feet tall at this location. Under this alternative, the viaduct would be 27 feet tall. There would be no direct effects through temporary or permanent easements or ROW acquisitions. It would experience indirect effects in the form of noise, visual, and historic setting changes from the construction of the new viaduct. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the addition of 12-foot-tall noise walls, which would be placed 406 feet from the resource, does represent a modern element in the setting of the resource. The proposed noise walls would be located at approximately the same location as the piers supporting the existing viaduct.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This property is located on the southwest corner of East 45th Avenue and Thompson Court, 407 feet south of the existing viaduct. All of the parcels (non-historic) between I-70 and East 45th Avenue on Thompson Court would be acquired and removed for the Revised Viaduct Alternative, South Option, which would bring the interstate 137 feet closer to the property than its current location. The revised viaduct under this



alternative would be located 270 feet from the historic resource. The existing viaduct is 24 feet tall, whereas the revised viaduct would be 27 feet at this location. There would be no temporary or permanent easement or ROW acquisition of any portion of this property associated with the Revised Viaduct Alternative, South Option and, therefore, no direct effects to the resource. However, there would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 269 feet from the resource, does introduce a modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, this resource is situated 407 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway to the north. The historic property would be located approximately 450 feet from I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### 6.3. Section 3

Section 3 of I-70 is located between Thompson Court on the west and the western boundary of 5AM1298.2, the Market Lead Railroad/Chicago, Burlington & Quincy Railroad Segment, at approximately Monroe Street, on the east. It includes 49 contributing resources in the Alfred R. Wessel Historic District and 12 individually eligible residential properties on the south side of I-70. Figure 19 shows the locations of all resources within Section 3.

#### 6.3.1. Description of existing setting for Section 3

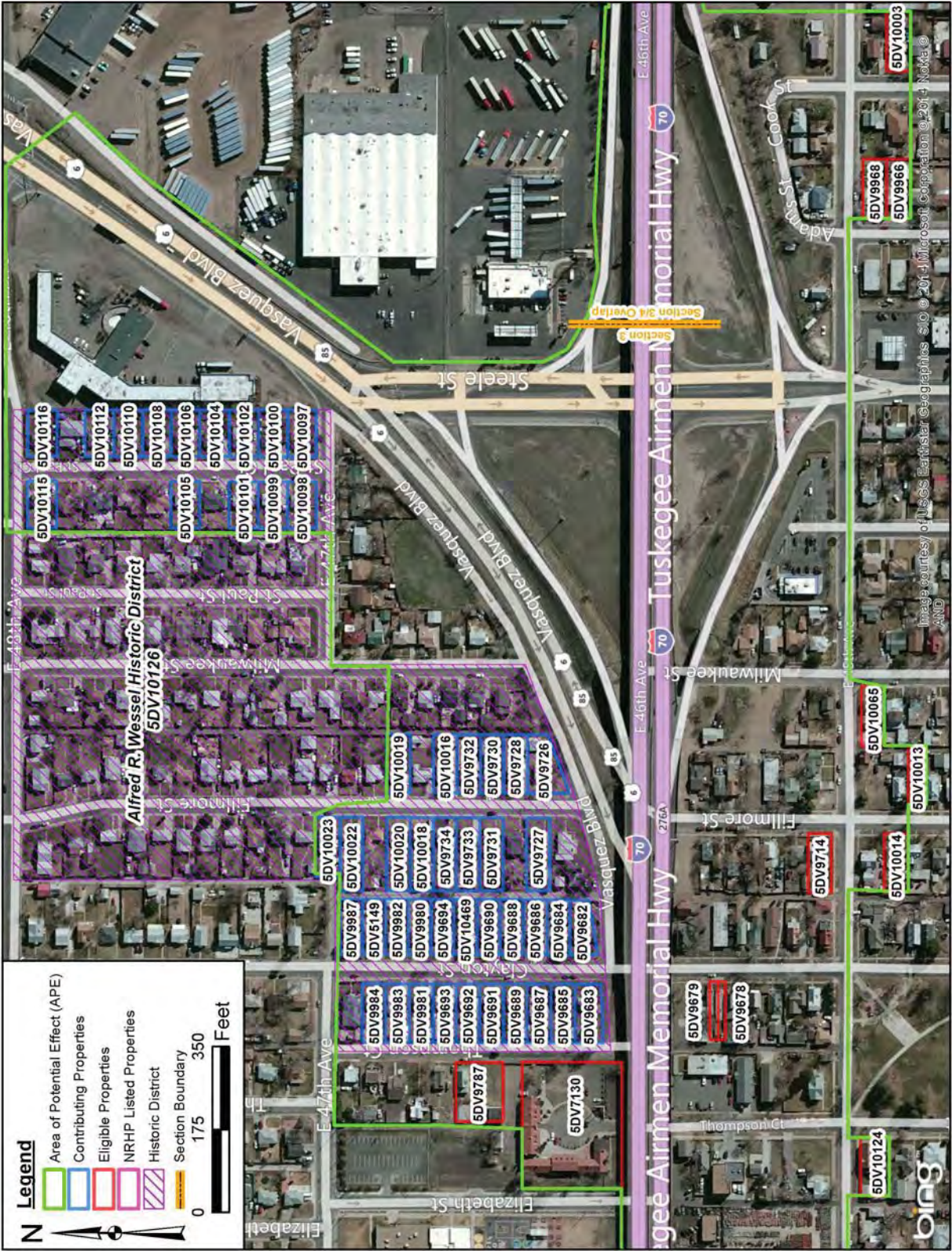
The industrial, residential, and transportation land uses of this section have been influenced by its proximity to the nearby National Western Stock Show to the west. The small neighborhood of Minimal Traditional homes, recorded as the eligible Alfred R. Wessel Historic District (5DV10126), also dominates the setting. The standard box-like forms characterize the homes. The small parcels have shallow setbacks from the sidewalks and minimal landscaping elements that were added on by homeowners, not according to a uniform plan or style.

On the south side of I-70 between Thompson Court and Monroe Street, the houses are a collection of individually eligible historic residences in Elyria and Swansea. This neighborhood was evaluated by CDOT for a potential historic district, but it was determined that many of the original houses in the Elyria and Swansea Neighborhood had been altered with additional massing, modifications to building materials, and removal of architectural ornamentation. In addition, due to the removal of many of the original buildings and the intrusion of newer residential and industrial buildings, the blocks do not convey the feeling, setting, and

association of turn-of-the-20th-century neighborhoods needed to be eligible as a historic district. Even though there are several properties that convey specific architectural styles and forms, the historic setting has been altered over the years.



Figure 19. Section 3 historic properties





### 6.3.2. Section 3 Alternative Descriptions

#### No-Action Alternative

Reconstruction of the existing viaduct under the No-Action Alternative would require acquisition of additional ROW to maintain traffic on I-70 during the reconstruction effort. The reconstructed viaduct would be approximately 50 feet wider than the existing structure due to the need to bring it up to current engineering standards. The replacement of the viaduct would begin at Brighton Boulevard and end at Colorado Boulevard. The viaduct already has been replaced with a new structure between I-25 and Brighton Boulevard.

Two options exist for reconstructing the viaduct: shifting immediately to the north (No-Action Alternative, North Option) or immediately to the south (No-Action Alternative, South Option). Off- and on-ramps would be realigned at Brighton Boulevard, York Street, and Steele Street/Vasquez Boulevard, within Section 3. The proposed improvements would keep the lane configuration the same as it currently is, with six general-purpose lanes (three in each direction) and a width of approximately 140 feet for the viaduct. As evaluated in 2010, the placement of East 46th Avenue beneath the viaduct would decrease the width of the viaduct constructed for the No-Action Alternative.

#### Revised Viaduct Alternative

The Revised Viaduct would remain on the existing I-70 alignment with options for adding two general-purpose lanes in each direction between Brighton Boulevard and Colorado Boulevard or two managed lanes in the same area. Within Section 3, the width of the general-purpose lanes and managed lanes options are identical.

In Section 3, the revised viaduct with additional lanes was redesigned to total 197 feet in width, including westbound and eastbound East 46th Avenue underneath the viaduct. The revised viaduct would be approximately 85 feet wider than the existing viaduct, for a possible maximum width of 181 feet for the section of I-70 between Thompson Court and Adams County Market Street Railroad/Chicago, Burlington & Quincy Railroad near Monroe Street on the east. This width includes the reconstruction of the Steele Street/Vasquez Boulevard Interchange and ramps associated with the replacement of the viaduct starting at this point to widen the facility to bring it up to current AASHTO standards.

Visual effects include an increase in the visible mass of the highway and the proposed 10- to 20-foot high noise walls. Within Section 3, there are several residences that would require noise mitigation because current noise levels are above the range considered higher than the threshold as identified in CDOT's *Noise Analysis and Abatement Guidelines* (CDOT, 2013). To minimize noise impacts on the adjacent neighborhoods, proposed noise walls would be incorporated with the design of the revised viaduct.

The existing setting of the neighborhood already is dominated by the presence of I-70. Except for the Alfred R. Wessel Historic District, the individually eligible residences are representative of architectural styles but do not form a cohesive district. The criteria of adverse effect were applied in consideration of how the widening of the highway would impact the integrity of the architectural significance of the buildings and structures that are individually eligible and those that contribute to the eligibility of the historic district.

Both the general-purpose and managed-lanes options have north and south options that shift the alignment to either side of the interstate. The north and south options provide a means to avoid impacts to historic resources on both sides of the interstate.

#### Partial Cover Lowered Alternative

The Partial Cover Lowered Alternative would remove the viaduct and reconstruct the highway below the existing ground level. It also would add a cover over the highway.

The highway would have a lowered section with a depth of approximately 26 feet below grade in Section 3. The widening of I-70 associated with the Partial Cover Lowered Alternative would occur to the north of the existing viaduct and result in the location of the highway moving approximately 350 feet closer to the

properties on the north side. Widening to the south is not possible because of the locations of the Union Pacific rail yard and the Nestlé Purina PetCare Company south of I-70.

Lowering I-70 would remove the existing viaduct between Brighton Boulevard and Colorado Boulevard and would eliminate a dominant skyline obstruction. The visual presence of the highway would be decreased in this area, to be replaced by the gradual lowering of the highway underneath the cover between Columbine Street and Clayton Street.

### 6.3.3. NRHP-eligible properties and effects in Section 3

The following section includes brief summaries of NRHP-eligible properties and associated effects in Section 3. A detailed explanation regarding the effects is provided for those properties with more complicated impacts from the project. A summary of effects in Section 3 is included in Table 12 at the end of this document.

For a discussion of cumulative effects related to this alternative, please refer to Chapter 7 in this document.

#### Rodriguez Residence, 4539 Clayton Street (5DV9678)

This is a one-story, rectangular plan, residential building constructed of brick and stucco with a flat roof, located south of I-70. The 2012 survey found the trim that was formerly brown is now painted orange. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1889. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Denver Terrace architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located directly south of the viaduct, 99 feet from the structure. The replacement viaduct would be widened to the north and would remain in approximately the same location and proximity to this property. The new structure would be 104 feet from the resource. No temporary or permanent easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location and would be 26 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 104 feet from the resource, does introduce a new modern element in the setting of the resource.

Though the change in noise levels, construction of noise walls and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** Currently, the Rodriguez Residence is situated 99 feet south of the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 58 feet closer to this property. No temporary or permanent easements or ROW acquisitions would be necessary from this resource and therefore no direct effects are anticipated. Potential indirect effects include visual changes to the setting and increases in noise. The proposed viaduct would be 26 feet tall at this location, two feet taller than the existing viaduct. Noise modeling for this alternative identified the need for noise mitigation in the form of

noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 41 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** Currently, the Rodriguez Residence is situated 99 feet from the existing viaduct. Under this alternative, the resource would be 103 feet from the revised viaduct. This property would not be subject to direct effects, since no temporary or permanent easements or ROW acquisition is required for the Revised Viaduct Alternative, North Option. It would experience indirect effects in the form of noise, visual, and historic setting changes as a result of replacing the existing elevated I-70 with another elevated highway approximately 75 feet wider to the south at this location and reconstructing the York Street Interchange. The proposed viaduct would be 27 feet tall, which is three feet taller than the existing viaduct. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 102 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be located at roughly the same location as the piers that support the existing viaduct.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The new East 46th Avenue alignment would require the full acquisition of this property, and the building would be demolished for the new viaduct structure. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to this property.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Rodriguez Residence is situated 99 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would move the highway farther away from the resource (104 feet from the historic resource). There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.



#### **4541 Clayton LLC Residence, 4541 Clayton Street (5DV9679)**

This is a one-story, rectangular-plan, residential building constructed of brick and stucco with a terraced flat roof, located south of I-70. The 2012 survey found no modifications or alterations since the original survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1889. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Denver Terrace architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located directly south of the viaduct, 83 feet from the existing structure. The replacement viaduct would be 87 feet from the resource. No permanent or temporary easements or ROW acquisitions would be necessary from this resource and, therefore, there would be no direct effects to the resource. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 26 feet tall. Proposed 12-foot-tall noise walls, which would be placed 87 feet from the resource, also introduces a new modern element in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** Currently, the residence at 4541 Clayton Street is situated 83 feet from the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 58 feet closer to this property. There are no direct effects to this resource, since this property would not be subject to temporary or permanent easements or ROW acquisition for the No-Action Alternative, South Option. It would experience indirect effects in the form of visual and historic setting changes from the reconstruction of the viaduct. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 26 feet tall. The proposed 12-foot-tall noise walls, which would be placed 25 feet from the resource, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** Currently, the resource at 4541 Clayton Street is located 83 feet from the existing viaduct. The revised viaduct under this alternative would be 86 feet from the resource. No direct effects are anticipated, since no temporary or permanent easements or ROW acquisitions would be required from the property. It would experience indirect effects in the form of noise, visual, and historic setting changes as a result of replacing the existing elevated I-70 with another elevated highway and reconstructing the Steele Street/

Vasquez Boulevard Interchange. The existing viaduct is 24 feet tall, whereas the proposed viaduct would be 27 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of the proposed 12-foot-tall noise walls, which would be placed 86 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be constructed at roughly the same location as the piers supporting the existing viaduct.

Though the change in noise levels, construction noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The new East 46th Avenue alignment would require the full acquisition of this property and the building would be demolished for the new viaduct structure. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to this property.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** This resource is located 83 feet south of the existing viaduct. The proposed highway would be 86 feet from the resource. Under either option of the Partial Cover Lowered Alternative, this property would not be impacted directly through temporary or permanent easements or ROW acquisitions. There would be indirect effects related to visual and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Olive Street LLC Property, 4503 Fillmore Street (5DV9714)**

This is a one-and-one-half-story, rectangular-plan, residential building constructed of brick with a side-gabled roof, located south of I-70. The 2012 survey found a white picket fence added along the eastern property boundary. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1911. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Dutch Colonial Revival architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located directly south of the viaduct, 284 feet from the existing structure. The replacement viaduct would be widened to the north and would remain in approximately the same location and proximity to this property. The existing viaduct is 24 feet tall at this location and would maintain the same height under this alternative. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for

noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 284 feet from the resource, does represent a new modern element in the setting of the resource. The proposed noise walls would be situated on approximately the same location as the piers supporting the existing viaduct.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** The resource at 4503 Fillmore Street is located 284 feet from the existing viaduct. Under this alternative, the replacement viaduct would be widened to the south and would be approximately 58 feet closer to this property, or 226 feet from the resource. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. The existing viaduct is 24 feet tall at this location and would maintain the same height under this alternative. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 226 feet from the resource, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and wider viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The resource is located 284 feet from the existing viaduct. Even though the Revised Viaduct Alternative, North Option would shift the highway away from this property on the south side of I-70, the interstate also would widen slightly to the south in areas for either the managed or general-purpose lane options. The alternative would involve replacing the existing elevated I-70 with another elevated highway approximately 272 feet from this resource and reconstructing the Steele Street/ Vasquez Boulevard Interchange. No temporary or permanent easements or ROW acquisitions would be required from the property and, therefore, there would be no direct effects to the resource. There would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. The existing viaduct is 24 feet tall, whereas the proposed viaduct under this alternative would be 28 feet tall at this location. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 272 feet from the resource, does introduce a new modern element in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.



- **Revised Viaduct Alternative, South Option:** Currently the resource is located 284 feet from the existing viaduct. The Revised Viaduct Alternative, South Option would shift the viaduct 146 feet closer to the resource due to the widening necessary for capacity increases and shifting to the south. There would be no direct effects to the resource, since no temporary or permanent easements or ROW acquisitions would be required from this property. There would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. The existing viaduct is 24 feet tall at this location and it would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 137 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the resource at 4503 Fillmore Street is 284 feet from the existing viaduct. The Partial Cover Lowered Alternative would shift the highway to the north, with the southern edge of the interstate located 286 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. A 19-foot tall noise wall would be constructed 313 feet from the historic resource, which is farther from the resource.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** to this property.

### **Yoshimura Residence, 4450 Adams Street (5DV9966)**

The resource is a one-story, wood-framed building with a cross-gable roof, located south of I-70. The exterior of the resource is covered in siding with faux rock on the inset of the front door. The 2012 survey did not find any modifications. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1952. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Minimal Traditional architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located 450 feet south of the existing viaduct. The replacement viaduct would be widened to the north and would remain in approximately the same location (within five feet) and proximity to this property. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions from this resource. Potential indirect effects include visual

changes to the setting and increases in noise. The existing viaduct is 25 feet tall at this location and it would be 27 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 270 feet from the resource, does introduce a new modern element in the setting of the resource. The noise walls would be located at roughly the same location as the existing piers that support the viaduct and would be separated from the resource by East 45th Avenue, two other residential buildings, and Cook Street, so they would not be in direct view of the resource.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** The Yoshimura Residence is located 450 feet from the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 54 feet closer to this property. There are no direct impacts associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and an increase in noise. The existing viaduct structure is 25 feet tall, whereas the height of the replacement structure under this alternative would be 27 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 258 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Yoshimura Residence is currently located 450 feet from existing viaduct. Most of the widening under the Revised Viaduct Alternative, North Option would shift the highway to the north, away from this property on the south side of I-70. Under this alternative, the resource would be located 471 feet from the proposed structure. No direct effects are anticipated, since there would be no temporary or permanent easements or ROW acquisitions would be required from the property. There would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. The existing viaduct is 25 feet tall at this location, whereas the proposed viaduct would be 33 feet tall under this alternative. The residential property would experience an increase in traffic noise over time due to the freeway widening and added capacity. The proposed 12-foot-tall noise walls would be located 471 feet from the resource. East 45th Avenue, another residence, and Cook Street would be situated between this resource and the proposed noise walls, so they would not be in the direct line of sight.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify

it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** Currently, the Yoshimura Residence is located 450 feet from the existing viaduct. The Revised Viaduct Alternative, South Option would shift the viaduct to 366 feet from the resource. No temporary or permanent easements or ROW acquisitions would be required from this property and, therefore, no direct effects are anticipated. There would be indirect effects in the form of noise, visual, and historic setting changes in the area as a result of this option. The existing viaduct is 25 feet tall at this location, whereas the proposed viaduct would be 33 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 366 feet from the resource, does introduce a new modern element in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Yoshimura Residence is situated 450 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway largely to the north. The southern edge of the highway in the Partial Cover Lowered Alternative would be approximately 479 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. A 16-foot-tall noise wall would be constructed 230 feet from the historic resource. East 45th Avenue, another residence, and Cook Street are situated between the resource and the proposed noise wall, so it would not be in the direct line of sight.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect**.

### **McGee Residence, 4460 Adams Street (5DV9968)**

The resource is a one-story, wood-framed building covered in horizontal siding with a cross-gable roof, located south of I-70. The 2012 survey found the windows on the north façade have been replaced with vinyl, vertical sliding windows. No other modifications to the resource were observed. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1952. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Minimal Traditional architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.



- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located 400 feet directly south of the existing viaduct. The replacement viaduct would be widened to the north and would remain in approximately the same location and proximity to this property. There are no direct effects in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 25 feet tall at this location, whereas the proposed viaduct would be 27 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 217 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls, which would be located on approximately the same location as the existing noise walls alongside the on-ramp, would be separated from the resource by East 45th Avenue, another residence, and Cook Street, so they would not be in the direct line of sight.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** The McGee Residence is currently situated 400 feet south of the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 54 feet closer to this property. There are no direct effects associated with the proposed work, since no temporary or permanent easements or ROW acquisitions are required from the property. Potential indirect effects include visual changes to the setting and an increase in noise. The existing viaduct is 25 feet tall at this location, whereas the proposed viaduct would be 27 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset the increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 215 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** Even though the Revised Viaduct Alternative, North Option would shift the highway away from this property on the south side of I-70, the interstate also would be widened slightly to the south in the vicinity of this property for either the managed lanes or general-purpose lanes options. The resource is currently located 400 feet from the existing viaduct. Under this alternative, the road would be located 415 feet from the historic resource. No temporary or permanent easements or ROW acquisitions would be required from the property and, therefore, no direct effects are expected. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 25 feet tall at this location, whereas the new structure would be 33 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 423 feet from the resource, does represent a new modern element in the setting of the resource. East 45th Avenue, another residence, and Cook Street would be located

between this resource and the proposed noise walls, so they would not be in the direct line of sight.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The McGee Residence is located 400 feet south of the existing viaduct. The Revised Viaduct Alternative, South Option would result in the highway being located 318 feet from the resource. No temporary or permanent easements or ROW acquisitions would be required from this property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 25 feet tall, whereas the proposed structure would be 33 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 318 feet from the resource, does introduce a new modern element in the setting of the resource.

Though the change in noise levels, construction of the noise walls and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the McGee Residence is situated 400 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway mostly to the north, resulting in the highway being located 429 feet from the historic resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. A proposed 16-foot-tall noise wall would be constructed 183 feet from the historic resource. East 45th Avenue, another residence, and Cook Street are situated between the resource and the proposed noise wall, so it would not be in the direct line of sight.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Vasquez Residence, 4450 Cook Street (5DV10003)**

The resource is a one-story, brick building with a box-hipped roof, located south of I-70. There is a large, concrete porch with four steps on the front west façade. The 2012 survey did not find any modifications. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1957. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Minimal Traditional architectural style.

Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and

industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located 452 feet south of the viaduct. The replacement viaduct would be widened to the north and would remain in approximately the same location and proximity to this property. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 25 feet tall, whereas the proposed structure would be 27 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 359 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be separated from this resource by three other buildings and East 45th Avenue, so they would not be in the direct line of sight.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** Currently, the Vasquez Residence is located 452 feet south of the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 56 feet closer to this property. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting as well as increases in noise. The existing viaduct is 25 feet tall, whereas the proposed structure would be 27 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 332 feet from the resource, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Vasquez Residence is currently located 452 feet from the existing viaduct. Under this alternative, the resource would be 458 feet from the revised viaduct structure. No temporary or permanent easements or ROW acquisitions would be required from the property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 25 feet tall at this location, whereas the proposed viaduct would be 33 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 458 feet from the resource, does represent a new modern element in the setting of the resource.



Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The Vasquez Residence is located 452 feet south of the existing viaduct. The Revised Viaduct Alternative, South Option would result in the highway ramp being 358 feet from the historic resource. No temporary or permanent easements or ROW acquisitions would be required from this property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 25 feet tall, whereas the proposed viaduct would be 33 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. However, the construction of 12-foot-tall noise walls, which would be placed 368 feet from the resource, does introduce a new modern element in the setting of the resource. The walls are located between the ramp and the viaduct.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Vasquez Residence is situated 452 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway mostly to the north; the southern limits of the highway would be located 479 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. A proposed 16-foot-tall noise wall would be constructed 304 feet from the historic resource. East 45th Avenue and three other buildings are situated between the resource and the proposed noise walls, impeding the line of sight of the proposed noise wall.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Guerca/Perez Residence, 4446 Fillmore Street (5DV10013)**

This is a one-and-one-half-story, rectangular-plan residential building of stucco construction with a front gabled roof, located south of I-70. The 2012 survey found the resource repainted, including the trim and decorative brick work on the front façade. The front, west window on the first floor has been replaced with a vertical light, slider-window. A metal security door has replaced the aluminum storm door on the front façade. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1900. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late-Victorian Vernacular architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the

resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located 491 feet south of the existing viaduct. The replacement viaduct would be widened to the north and would remain in approximately the same location and proximity to this property. Additionally, the new structure would maintain the same height. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise wall to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 491 feet from the resource, does represent a new modern element in the setting of the resource. The proposed noise walls would be separated from the resource by East 45th Avenue and a city block of residential buildings, so they would not be in the direct line of sight.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** The Guerca/Perez Residence is currently located 491 feet south of the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 73 feet closer to this property, or 418 feet from the historic resource. The new structure would maintain the same height as the existing structure: 24 feet tall. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and an increase in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 418 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls and wider viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Guerca/Perez Residence is currently located 491 feet south of the existing viaduct. Under this alternative, the resource would be located 466 feet from the revised viaduct structure. No temporary or permanent easements or ROW acquisitions would be required from the property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual and historic setting changes. The existing viaduct is 24 feet tall at this location. The revised viaduct under this alternative would be 28 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 335 feet from the resource, does represent a new modern element in the setting of the resource. The proposed noise walls would be separated from the resource by East 45th Avenue and a city block of residential buildings, so they would not be in direct line of sight.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The Guerca/Perez Residence is currently located 491 feet from the existing resource. The Revised Viaduct Alternative, South Option would shift the viaduct 152 feet closer to the historic resource. No temporary or permanent easements or ROW acquisitions would be required from this property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 28 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 339 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Guerca/Perez Residence is situated 491 feet from the existing viaduct. Either of the Partial Cover Lowered Alternatives would shift the roadway mostly to the north. The new roadway would be 523 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. A proposed 19-foot-tall noise wall would be constructed 525 feet from the historic resource boundary, north of the southern edge of the existing viaduct structure.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Tenenbaum Residence, 4453 Fillmore Street (5DV10014)**

This is a one-story, T-shaped plan, residential building constructed of brick with a cross-hipped roof, located south of I-70. The 2012 survey found no additional modifications or alterations from the prior survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1953. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late Minimal Traditional architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient



integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located 447 feet south of the viaduct. The replacement viaduct would be widened to the north and would remain in approximately the same location and proximity to this property. In addition, the proposed structure would maintain the same height as the existing structure: 24 feet tall. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 447 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be separated from the resource by East 45th Avenue and a city block of residential buildings, so they would not be in the direct line of sight.

Though the change in noise levels, construction of noise walls, and wider viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** The Tenenbaum Residence is currently located 447 feet south of the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 63 feet closer to this property, or 384 feet from the historic resource. The proposed structure would maintain the 24-foot height of the existing viaduct. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and an increase in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 384 feet from the resource, does introduce a new modern element in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Tenenbaum Residence is currently located 447 feet south of the existing viaduct. Under this alternative, the resource would be located 467 feet from the revised viaduct structure. No temporary or permanent easements or ROW acquisitions would be required from the property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 24 feet tall, whereas the proposed viaduct would be 28 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls. However, the construction of 12-foot-tall noise walls, which would be placed 434 feet from the resource, does introduce a new modern element in the setting of the resource. The proposed noise walls would be separated from the resource by East 45th Avenue and a city block of residential buildings, so they would not be in the direct line of sight.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their

construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The Tenenbaum Residence is currently located 447 feet from the existing resource. The Revised Viaduct Alternative, South Option would shift the viaduct 147 feet to the south in this location. No temporary or permanent easements or ROW acquisitions would be required from this property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. The existing viaduct is 24 feet tall, whereas the proposed viaduct would be 28 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of the proposed 12-foot-tall noise walls, which would be placed 298 feet from the resource, does introduce a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Tenenbaum Residence is situated 447 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway mostly to the north. The new structure would be 503 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. A proposed 19-foot-tall noise wall would be constructed 473 feet from the historic resource to help offset increased noise levels.

Though the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Lopez/Hartzell Residence, 4461 Milwaukee Street (5DV10065)**

This is a one-story, rectangular-plan, brick residential building with a side-gabled roof and synthetic siding located in the Elyria and Swansea Neighborhood of Denver, south of I-70. The 2012 survey found the front entry porch has been replaced with a new lightly sloped roof and a concrete pad. The windows on the east façade have been replaced with two-foot by three-foot replacement windows. There is a new wood door and the windows on the north façade have been replaced with “bungalow style” windows. On the rear, west façade, all windows and doors have been replaced and a new covered porch constructed. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1948. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Late Minimal Traditional architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient

integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located 390 feet south of the existing viaduct. The replacement viaduct would be widened to the north and would remain in approximately the same location and proximity to this property. The modified viaduct structure would be 404 feet from the historic resource boundary. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and increases in noise. The existing viaduct is 23 feet tall at this location and it would be 24 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 368 feet from the resource, does introduce a new modern element in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** The Lopez/Hartzell Residence is currently located 390 feet south of the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 46 feet closer to this property, or 344 feet from the historic resource. There are no direct effects associated with the proposed work in the form of temporary or permanent easements or ROW acquisitions. Potential indirect effects include visual changes to the setting and an increase in noise. The existing viaduct is 23 feet tall in this location and it would be 24 feet tall under this alternative. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 310 feet from the resource, does represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Lopez/Hartzell Residence is currently located 390 feet south of the existing viaduct. Under this alternative, the resource would be located 420 feet from the revised viaduct structure. No temporary or permanent easements or ROW acquisitions would be required from the property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual and historic setting changes. The existing viaduct is 23 feet tall at this location. Under this alternative, the structure would be 30 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 335 feet from the resource, does introduce a new modern element in the setting of the resource.



Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** The Tenenbaum Residence is currently located 390 feet from the existing resource. The Revised Viaduct Alternative, South Option would shift the viaduct to within approximately 298 feet from the historic resource. No temporary or permanent easements or ROW acquisitions would be required from this property and, therefore, no direct effects are anticipated. It would experience indirect effects in the form of noise, visual, and historic setting changes. Indicative of a change in the visual setting, the existing viaduct is 23 feet tall at this location, whereas the proposed viaduct would be 30 feet tall. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, the construction of 12-foot-tall noise walls, which would be placed 230 feet from the resource, does introduce a new modern element in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect**.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Lopez/Hartzell Residence is situated 390 feet from the existing viaduct. Either option of the Partial Cover Lowered Alternative would shift the highway mostly to the north. The new structure would be 425 feet from the resource. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. In addition, a proposed 19-foot-tall noise wall would be constructed 424 feet from the historic resource, north of the southern edge of the existing viaduct structure; it would help offset increased noise levels.

Though the construction of the proposed noise wall, demolition of the existing viaduct, and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### **Alfred R. Wessel Historic District (5DV10126)**

The Alfred R. Wessel Historic District includes the Wulfekuhler's, Vasquez Plaza, and Vasquez Court subdivisions. All three subdivisions are currently within the Elyria and Swansea Neighborhood of Denver. The Wulfekuhler's Subdivision was subdivided from the Elyria and Swansea Neighborhood in 1940 and encompasses the 4600 block to the 4700 block of Clayton Street. The Vasquez Plaza Subdivision was subdivided from the Elyria and Swansea Neighborhood in 1945 and encompasses the 4600 block to the 4800 block of Fillmore Street. The Vasquez Court Subdivision was subdivided from the Elyria and Swansea Neighborhood in 1946 and encompasses the 4700 block of St. Paul Court, the 4700 block of St. Paul Street, and the west side of the 4700 block of Milwaukee Street. The three subdivisions were developed because of their proximity to various manufacturing facilities, as well as State Highway 85/Vasquez Boulevard, which serves as a transportation corridor. The period of construction of the Alfred R. Wessel Historic District is from

1940 to 1948 and reflects the period from the date of the first subdivision's original plan and construction to the end of construction in the third associated subdivision.

The Alfred R. Wessel Historic District contains 114 residences, of which 60 are in the project APE. Of the 60 buildings recorded within the historic district, SHPO has determined that 49 are contributing resources to the district and 11 are non-contributing. Non-contributing and contributing resources of the Alfred R. Wessel Historic District are listed in Table 5. The 2012 survey found all contributing resources within the APE are still intact and still contribute to the significance and eligibility of the district; the determinations of contributing status remain the same.

This district is significant under Criterion A for two reasons:

- 1) It is significant due to racial desegregation in the building covenants that took place in the area after World War II. The district exemplifies the racial and ethnic make-up of the neighborhood due to the specific inclusion of "only Caucasian ownership" found in the original covenant used for the Wulfekuhler's Subdivision when platted in 1940. Although newly formed suburbs still had a tendency to exclude particular minority groups, housing developments became more accessible to African-Americans and Hispanics when they gained economic, political, and social influence after the desegregation of the U.S. Army in 1946. This possible desegregation is evident in the original plats of Vasquez Plaza (1945) and Vasquez Court (1946) subdivisions, which do not specify the exclusion of racial or ethnic groups of people.
- 2) This district is significant as an example of community planning and development because of the need for mass housing after World War II that facilitated the need to create and build up suburbs.

The district also has been determined to be eligible for NRHP inclusion under Criterion B because of its association with Alfred R. Wessel, a merchant builder who was instrumental in providing affordable housing during World War II and the immediate post-war period. Wessel was the company president of both Wulfekuhler Homes and Kimble-Kroft Homes, which constructed homes in all three subdivisions in a manner consistent with that of a merchant builder. In addition to being the president of these two companies, Wessel signed the original plat from the City and County of Denver for both the Vasquez Plaza (1945) and Vasquez Court (1946) subdivisions. Merchant builders, including the most well-known builders such as William Levitt and Joe Eichler, were instrumental immediately before and after World War II in several places around the nation in supplying homes to qualified owners. Merchant builders emphasized the need to intertwine land acquisition, financing, marketing, government subsidies, and the de-skilling of labor to construct mass-produced housing for returning GIs after World War II. This approach helped the merchant builders to build houses, develop subdivisions, and make a decent profit.

The NRHP district also is eligible under Criterion C for its architecture, as an example of a suburb developed by Alfred R. Wessel, a merchant builder. Most of the buildings within the NRHP district reflect a standardized form that utilized five known floor plans that were box-like in style, constructed of similar materials, with little ornamentation, windows of the same approximate size, and add-on features such as detached garages, small porches, and basements. The buildings typically had a hipped-roof footprint indicative of the Minimal Traditional form that defines the Alfred R. Wessel Historic District. This type of floor plan standardization and construction management was influenced by the introduction of assembly lines in the early automobile industry made famous by the Ford Motor Company.

**Table 5. Resources within the Alfred R. Wessel Historic District (5DV10126)**

Site Number	Resource Type	Resource Name/Address	National Register Eligibility
<b>Wulfekuhler's Subdivision</b>			
5DV9682	House	Casillas/Rosenberg Residence 4600 Clayton Street	Contributing
5DV9683	House	Luchetta/Lyells Residence 4601 Clayton Street	Contributing
5DV9684	House	Ramirez/Leaf Residence 4610 Clayton Street	Contributing
5DV9685	House	Dady/Leaf Residence 4611 Clayton Street	Contributing
5DV9686	House	Gonzalez-Cruz/Joachim Residence 4620 Clayton Street	Contributing
5DV9687	House	Ortiz/Lucas Residence 4621 Clayton Street	Contributing
5DV9688	House	Contreras/Showalter Residence 4630 Clayton Street	Contributing
5DV9689	House	Chaires/Hogle Residence 4631 Clayton Street	Contributing
5DV9690	House	Gorniak/Butcher Residence 4640 Clayton Street	Contributing
5DV9691	House	Adams Clock LLC/Huttenhow Residence 4641 Clayton Street	Contributing
5DV10469	House	Pacheco/Aggus Residence 4650 Clayton St.	Contributing
5DV9692	House	Portales/Sullivan Residence 4651 Clayton Street	Contributing
5DV9693	House	Portales/Hull Residence 4661 Clayton Street	Contributing
5DV9694	House	Kouremenos/Clemman Residence 4664 Clayton Street	Contributing
5DV9980	House	Villa/Crocker Residence 4670 Clayton Street	Contributing
5DV9981	House	Rodriguez/Wayslow Residence 4671 Clayton Street	Contributing
5DV9982	House	Arevalo/Williams Residence 4680 Clayton Street	Contributing
5DV9983	House	Glasgow/Hinkley Residence 4681 Clayton Street	Contributing
5DV9984	House	De La Cruz Flores/Callahan Residence 4685 Clayton Street	Contributing
5DV5149 (formerly 5DV9985)	House	Avila/Procopio Residence 4690 Clayton Street	Contributing
5DV9986	House	Vigil Residence 4691 Clayton Street	Non-contributing



Site Number	Resource Type	Resource Name/Address	National Register Eligibility
5DV9987	House	Villarreal/Kesson Residence 4694 Clayton Street	Contributing
<b>Vasquez Plaza Subdivision</b>			
5DV9725	House	Ortega Residence 4605 Fillmore Street	Non-contributing
5DV9726	House	Fletcher/Taylor Residence 4610 Fillmore Street	Contributing
5DV9727	House	Fusco/Wilson Residence 4615 Fillmore Street	Contributing
5DV9728	House	Mary Santa Cruz Trust/Wilson Residence 4620 Fillmore Street	Contributing
5DV9729	House	Fleck Residence 4625 Fillmore Street	Non-contributing
5DV9730	House	Villarreal/Murray Residence 4630 Fillmore Street	Contributing
5DV9731	House	Almendarez/Schuele Residence 4635 Fillmore Street	Contributing
5DV9732	House	Almendarez/Huttenhow Residence 4640 Fillmore Street	Contributing
5DV9733	House	Fuentes/Steidley Residence 4645 Fillmore Street	Contributing
5DV9734	House	Baquero/Lambeau Residence 4655 Fillmore Street	Contributing
5DV10016	House	Singer Trust/Linbery Property 4650 Fillmore Street	Contributing
5DV10017	House	Compos Residence 4660 Fillmore Street	Non-contributing
5DV10018	House	Mares/Austin Residence 4665 Fillmore Street	Contributing
5DV10019	House	Elliot/Rusch Residence 4670 Fillmore Street	Contributing
5DV10020	House	Fusco/Moore Residence 4675 Fillmore Street	Contributing
5DV10021	House	Martin Property 4685 Fillmore Street	Non-contributing
5DV10022	House	Salenblatt/Scuddel Residence 4695 Fillmore Street	Contributing
5DV10023	House	Almendariz/Rayburn Residence 4701 Fillmore Street	Contributing
<b>Vasquez Court Subdivision</b>			
5DV10097	House	Hernandez/Miller Residence 4700 St. Paul Court	Contributing
5DV10098	House	Simental de Garcia/ Weber Residence 4701 St. Paul Court	Contributing
5DV10099	House	Arrieta/Franco Residence 4705 St. Paul Court	Contributing

Site Number	Resource Type	Resource Name/Address	National Register Eligibility
5DV10100	House	Chacon/Fulton Residence 4710 St. Paul Court	Contributing
5DV10101	House	Ruiz-A/Getty Residence 4715 St. Paul Court	Contributing
5DV10102	House	Ornelas/Furns Residence 4720 St. Paul Court	Contributing
5DV10103	House	Santellano Residence 4725 St. Paul Court	Non-contributing
5DV10104	House	Romero/Watts Residence 4730 St. Paul Court	Contributing
5DV10105	House	Caldron/Bassett Residence 4735 St. Paul Court	Contributing
5DV10106	House	Rodarte Family Trust/Goolsby Residence 4740 St. Paul Court	Contributing
5DV10107	House	Valdez Residence 4745 St. Paul Court	Non-contributing
5DV10108	House	Velasquez/Hergert Residence 4750 St. Paul Court	Contributing
5DV10109	House	4755 St. Paul Ct LLC Property 4755 St. Paul Court	Non-contributing
5DV10110	House	Montelongo/Bundick Residence 4760 St. Paul Court	Contributing
5DV10111	House	Moreno Residence 4765 St. Paul Court	Non-contributing
5DV10112	House	Montoya/Desilets Residence 4770 St. Paul Court	Contributing
5DV10113	House	Rocky Mountain Ally-Hester Property 4775 St. Paul Court	Non-contributing
5DV10114	House	Ortega Residence 4780 St. Paul Court	Non-contributing
5DV10115	House	Galvan/Elmore Residence 4785 St. Paul Court	Contributing
5DV10116	House	Montoya/McFaddin Residence 4790 St. Paul Court	Contributing

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The No-Action Alternative, North Option would reconstruct the existing viaduct and expand to the north into the southwestern boundary of the district. A proposed acceleration lane, stemming from the on-ramp from Steele Street/Vasquez Boulevard, would encroach into the district and would require the full acquisition of the two resources listed in Table 6 because the buildings would be demolished to accommodate the new viaduct structure.

**Table 6. Complete ROW Acquisitions of Contributing Resources in the Alfred R. Wessel Historic District (5DV10126)—No-Action Alternative, North Option, Section 3**

Site Number	Resource Name	Address	Acquisition Type
5DV9682	Casillas/Rosenberg Residence	4600 Clayton Street	Full
5DV9683	Luchetta/Lyells Residence	4601 Clayton Street	Full

While the undertaking would impact these two resources, the majority of the contributing resources (47 of 49) would remain intact. The essential character-defining features of the district include: small lots and shallow setbacks, with houses located very close together; minimal and unornamented forms; and uniform building materials that represent the efforts of merchant builders to build houses with standard floor plans utilizing construction management techniques from assembly lines and worker specialization. Notably lacking from the essential physical features of the district are elements of landscape or streetscape design, which were not part of the original subdivision.

The No-Action Alternative, North Option would have indirect effects on the district due to changes in noise levels and visual changes related to the shifting of the new viaduct to the north, closer to the district. The setting should reflect the period of significance and the original functions of the district. Built between 1940 and 1948, the neighborhood predates the interstate, but it was platted because of its proximity to manufacturing facilities, industry, and transportation corridors, including East 46th Avenue and Vasquez Boulevard/US Highway 85. The original construction of the interstate did not destroy the neighborhood but provided access to the highway for residents of the community. The neighborhood maintained its livability after the interstate was built and would still retain this function if the viaduct is reconstructed without capacity increases.

Aspects of integrity—including design, materials, and workmanship—would be diminished by the removal of two houses that are contributing features of the historic district. The district would retain its integrity of association and it would still convey significance under Criteria A, B, and C as a pre- and post-World War II neighborhood for low-income families.

CDOT concluded that the acquisition and demolition of two contributing buildings would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.

- **No-Action Alternative, South Option:** The No-Action Alternative, South Option would not require temporary or permanent easements or ROW acquisitions from any property within the district. The replacement viaduct proposed would maintain a relationship with the historic district similar to the existing viaduct, as the main widening of the interstate and majority of the associated improvements would occur south of the existing interstate corridor and the district is located to the north.

The No-Action Alternative, South Option would have indirect effects on the district due to changes in noise levels and visual changes related to the shifting of the new viaduct to the south. The new viaduct would be located 38 feet from the historic district boundary and would result in a visual change to the area because of the removal of the existing viaduct and introduction of a new structure that would be two feet taller than the existing viaduct. The existing viaduct is 24 feet tall at this location and would be 26 feet tall under this alternative. Noise modeling indicated that noise levels within the historic district would increase. This increase would be mitigated by the addition of 12-foot-tall noise walls that, at their closest point, would be situated 36 feet from the historic resource boundary. The proposed noise walls would be located on approximately the same location as the piers that support the existing viaduct.

Although this alternative would result in indirect effects, these changes in setting would not detract from the association of the resource with the nearby manufacturing facilities, industry, or



transportation corridors. The proposed improvements would not diminish the character-defining features and integrity of design, materials, workmanship, setting, feeling, and association necessary to convey significance under Criteria A, B, and C. For these reasons, CDOT has determined that the No-Action Alternative, South Option would result in **No Adverse Effect** to the Alfred R. Wessel Historic District.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The expanded footprint of the Revised Viaduct Alternative, North Option would encroach into the southwestern boundary of the historic district. The realignment of the off- and on-ramps to and from Steele Street/Vasquez Boulevard would result in the permanent acquisition of seven contributing parcels and the demolition of these buildings (see Table 7).

**Table 7. Complete ROW Acquisitions of Contributing Resources in the Alfred R. Wessel Historic District (5DV10126)—Revised Viaduct Alternative, North Option, Section 3**

Site Number	Resource Name	Address	Acquisition Type
5DV9682	Casillas/Rosenberg Residence	4600 Clayton Street	Full
5DV9683	Luchetta/Lyells Residence	4601 Clayton Street	Full
5DV9684	Ramirez/Leaf Residence	4610 Clayton Street	Full
5DV9685	Dady/Leaf Residence	4611 Clayton Street	Full
5DV9726	Fletcher/Taylor Residence	4610 Fillmore Street	Full
5DV9727	Fusco/Wilson Residence	4615 Fillmore Street	Full
5DV9728	Mary Santa Cruz Trust/Wilson Residence	4620 Fillmore Street	Full

The ROW acquisitions of seven of the 49 contributing resources within the historic district (14 percent) would diminish the integrity of the historic district's character-defining features and would alter its ability to convey significance under Criteria A, B, and C. Therefore, CDOT has concluded that the Revised Viaduct Alternative, North Option would result in **Adverse Effect** to the Alfred R. Wessel Historic District.

- **Revised Viaduct Alternative, South Option:** Most of the impacts from the Revised Viaduct Alternative, South Option would occur south of I-70. There would be direct effects to some properties in the Wessel Historic District. The realignment of the on- and off-ramps to and from Steele Street/Vasquez Boulevard through the southwestern boundary of the district would require reconstruction of East 46th Avenue under the viaduct into a two-lane roadway with turn lanes; it also would realign the roadway farther south. This would require the acquisition of 0.01 acre of ROW from each of two contributing resources within the district (5DV9726 and 5DV9727). Within the acquired portion of each resource, construction access for the on-ramp and city street tie-in would occur. While this option would result in the acquisition of a small portion of two contributing properties, it would not result in the demolition of the buildings on the two properties.

The Revised Viaduct Alternative, South Option would create visual and historic setting changes. The existing elevated portion of I-70 would be replaced by another elevated highway. Although the elevated structure would be farther away from the buildings, visual effects would result from the increase in the visible mass of the wider highway and the proposed 12-foot-high noise walls on either side of the structure to help offset increased noise levels. On the north side of the proposed viaduct, the proposed noise walls would be located 26 feet from the historic resource boundary.

Although this alternative would result in indirect effects, these changes in setting would not detract from the association of the resource with the nearby manufacturing facilities, industry, or transportation corridors. Because this alternative would result in the acquisition of portions of two

resources that contribute to the eligibility of the Historic District, possibly impacting fences and vegetation, CDOT has determined that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.

- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The Partial Cover Lowered Alternative, Basic Option would result in the full ROW acquisition of nine contributing resources in the district and the demolition of buildings on these parcels, and partial ROW acquisition of one additional property (see Table 8). Under the Modified Option, there would be five ROW acquisitions of contributing properties in the district and the demolition of these buildings, and partial ROW acquisition of one additional property (see Table 8). Because the demolition of these contributing resources would diminish the integrity of design, materials, and workmanship, and the ability of the district to convey significance under Criteria A and C, both of the options would result in an **Adverse Effect** to the historic district.

**Table 8. ROW Acquisitions of Contributing Properties in the Alfred R. Wessel Historic District (5DV10126)—Partial Cover Lowered Alternative, Section 3**

Site Number	Resource Name	Address	Acquisition Type	
			Basic Option	Modified Option
5DV9682	Casillas/Rosenberg Residence	4600 Clayton Street	Full	Full
5DV9683	Luchetta/Lyells Residence	4601 Clayton Street	Full	Full
5DV9684	Ramirez/Leaf Residence	4610 Clayton Street	Full	Full
5DV9685	Dady/Leaf Residence	4611 Clayton Street	Full	Full
5DV9686	Gonzalez-Cruz/Joachim Residence	4620 Clayton Street	Full	None
5DV9687	Ortiz/Lucas Residence	4621 Clayton Street	Full	None
5DV9689	Chaires Residence	4631 Clayton Street	Partial (0.01 acre)	Partial (0.01 acre)
5DV9726	Fletcher/Taylor Residence	4610 Fillmore Street	Full	Full
5DV9727	Fusco/Wilson Residence	4615 Fillmore Street	Full	None
5DV9728	Mary Santa Cruz Trust/Wilson Residence	4620 Fillmore Street	Full	None

## 6.4. Section 4

This section includes properties north and south of I-70. The western boundary is the Market Street Railroad (5AM1298.2) at Monroe Street and the eastern boundary is Tower Road. The historic properties in this section are shown in Figures 20, 21, and 22.

### 6.4.1. Description of existing setting for Section 4

The section includes large industrial and commercial properties but does not have any residential properties. It includes the Safeway Historic District at Colorado Boulevard and several commercial properties noted for representing the Modern Movement and International Style architecture. Three railroad segments also are included in Section 4.

The two subsections include Section 4a (Figure 21), the location of the Rocky Mountain Railroad segment at Havana (5DV7048.2) and Section 4b (Figure 22), the location of the High Line Canal (5AM261.2) east of Tower Road.



Figure 20. Section 4 historic properties

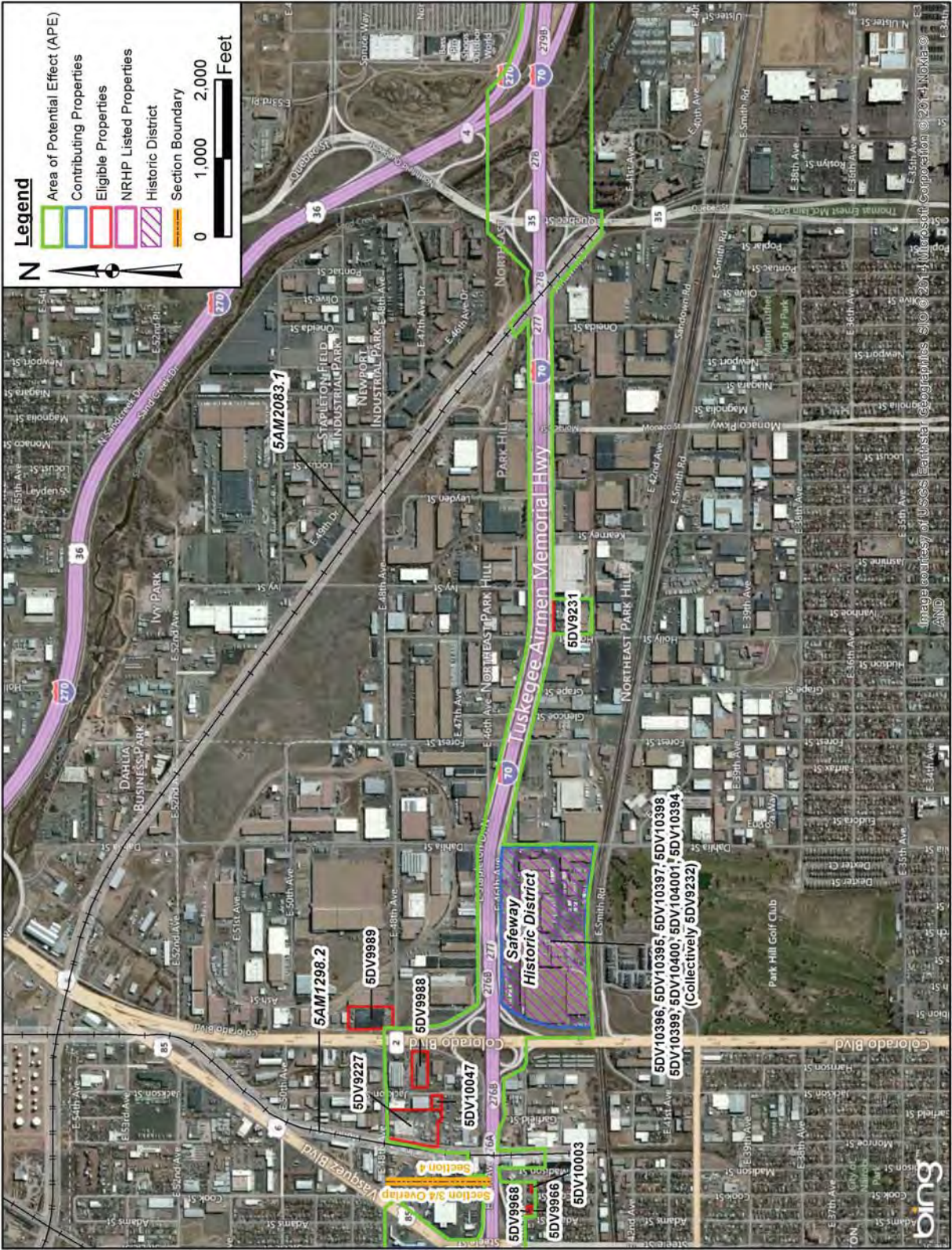




Figure 21. Historic Properties in Section 4a





Figure 22. Historic Properties in Section 4b





## **6.4.2. Section 4 Alternatives Description**

### **No-Action Alternative**

For the No-Action Alternative, the replacement of the viaduct would begin at Brighton Boulevard and end west of Colorado Boulevard, on the western edge of Section 4. Reconstruction of the existing viaduct under the No-Action Alternative would require acquisition of additional ROW to maintain traffic on I-70 during the reconstruction effort. In Section 4, ROW would need to be acquired approximately 50 feet on the north side of the interstate because the reconstructed viaduct would be 125 feet wider than the existing structure. However, most of the section (and all of Section 4a and Section 4b) is outside of major widening as the viaduct would terminate near Colorado Boulevard.

Two options exist for reconstructing the viaduct: shifting immediately to the north (No-Action Alternative, North Option) or immediately to the south (No-Action Alternative, South Option). Off- and on-ramps would be realigned at Brighton Boulevard, York Street, and Steele Street/Vasquez Boulevard Interchanges. The proposed improvements would keep the lane configuration the same, with six general-purpose lanes (three in each direction) and a width of approximately 140 feet for the viaduct.

### **Revised Viaduct Alternative**

The Revised Viaduct Alternative would remain on the existing I-70 alignment with two additional general-purpose lanes in each direction between Brighton Boulevard and Colorado Boulevard or a managed lanes option with two managed lanes. Within Section 4, the width of the general-purpose lanes and the managed lanes are identical. East of Colorado Boulevard, the alignment generally matches the existing I-70 alignment with widening to both sides. Slip ramps and associated acceleration/deceleration lanes at Monaco and Dahlia Streets were eliminated from further consideration due to traffic operation concerns. Also, the design of East 46th Avenue in this section has been modified to include a sidewalk. The majority of property impacts within Section 4 were eliminated with these design changes.

This alternative previously included modification of the Quebec Street southbound interchange ramp. The revised design does not require this improvement and the construction limit was adjusted in the vicinity of Quebec Street and Union Pacific Beltline Railroad segment (5AM2083.1).

In Section 4, the widening associated with the increase in lanes could be as much as 400 feet to accommodate the interstate and frontage roads on either side between the Market Street Railroad and Quebec Street. This width includes the reconstruction of the Colorado Boulevard Interchange within current highway ROW associated with the replacement of the viaduct ending at Colorado Boulevard. Visual effects include an increase in the visible mass of the highway. Noise is expected to increase over time, although this was not verified in a noise assessment. Since the area is commercial and industrial, it does not require noise mitigation.

### **Partial Cover Lowered Alternative**

Either option of the Partial Cover Lowered Alternative would remove the existing viaduct and reconstruct the highway below ground level between Brighton Boulevard and Colorado Boulevard. It also would add a cover over the highway between Clayton Street and Columbine Street. The highway would have a lowered section with a depth of approximately 26 feet below grade on the west side of Section 4 and would ascend just east of the BNSF Denver Market Street railroad (5AM1298.2) to reach the existing grade east of the Colorado Boulevard Interchange.

The widening of I-70 associated with the Partial Cover Lowered Alternative would occur to the north of the existing viaduct and result in the location of the highway being approximately 350 feet closer to the properties along the north side of I-70. Widening to the south is not possible because of the locations of the Union Pacific rail yard and the Nestlé Purina PetCare Company south of I-70.

Noise levels were not studied for properties in Section 4 because it is a commercial area.

### 6.4.3. NRHP-eligible properties and effects in Section 4

The following section includes brief summaries of NRHP-eligible properties and associated effects in Section 4. A detailed explanation regarding the effects is provided for each resource. A summary of effects in Section 4 is included in Table 13 at the end of this document.

For a discussion of cumulative effects related to this alternative, please refer to Chapter 7 in this document.

#### **Safeway Distribution Center Historic District (includes 5DV10394, 5DV10395, 5DV10396, 5DV10397, 5DV10398, 5DV10399, 5DV10400, and 5DV10401)**

The Safeway Distribution Center Historic District consists of a complex of six historic buildings and two railroad spurs, located south of I-70 and east of Colorado Boulevard. Six resources are contributing and two are non-contributing to the historic district; these are listed in Table 9.

The 2012 survey found only a few changes have been made to the resource, including a temporary chain-link fence along the northern property boundary that is in place while a retaining wall is being constructed. Also, the doors on the Security Building (5DV10396) have been painted maroon. The other contributing buildings did not have any visible modifications or alterations. At the time of its construction, the Safeway Distribution Center was the largest and most modern of its type west of the Mississippi River. The district is significant due to its association with the establishment of large-scale grocery distribution in the Rocky Mountain Region. While the Safeway Distribution Center district has changed considerably as a result of the appended buildings constructed over the years, its original purpose, function, and historic character have been retained. Numerous additions and modifications have visually obscured the original warehouse in several areas; however, the general characteristics and feel of the original warehouse, truck service garage, and salvage warehouse remain intact, and the historic physical integrity of the district remains good.

The district is eligible under Criterion A because of its significant relationship to the development of Colorado's economic history while also serving as a substantial contributor to the ascendancy of Denver as the marketing center in the Rocky Mountain Region following World War II. The district also is eligible under Criterion C for its significant architectural features and design, particularly the warehouse, which combines all of the necessary warehouse spaces into one single building and utilizes both rail and overland traffic operations from one structure.

**Table 9. Resources within the Safeway Distribution Center Historic District (5DV9232)**

Site Number	Resource Type	Resource Name and Address	National Register Eligibility
5DV10394	Commercial building	Central Warehouse 4200–4600 East 46th Avenue	Contributing
5DV10395	Commercial building	Transport Control Facility	Non-contributing
5DV10396	Commercial building	Security Building	Contributing
5DV10397	Commercial building	Truck Washing Facility	Contributing
5DV10398	Commercial building	Truck Service Facility	Contributing
5DV10399	Commercial building	Salvage Facility	Contributing
5DV10400	Railroad spur	West Railroad Spur	Contributing
5DV10401	Railroad spur	East Railroad Spur	Non-contributing

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There would be no improvements east of Colorado Boulevard for the No-Action Alternative, North Option and, hence, no impacts to the District. Therefore, CDOT has determined that the No-Action Alternative, North Option would result in a

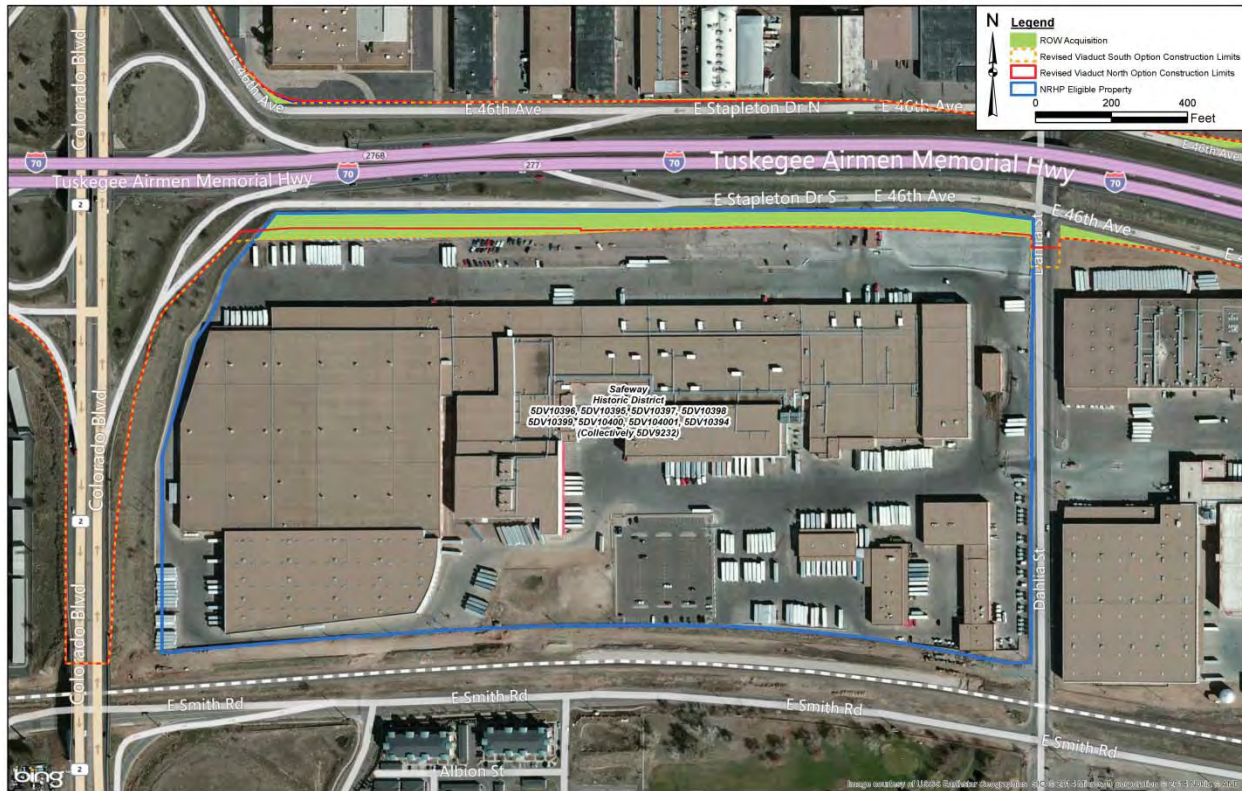
determination of **No Historic Properties Affected** for the Safeway Distribution Center Historic District.

- **No-Action Alternative, South Option:** CDOT has concluded that this option would have the same determination as the No-Action Alternative, North Option: **No Historic Properties Affected** for the Safeway Distribution Center Historic District.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would move the Stapleton Drive South alignment farther into the Safeway property (Figure 23). There would be a temporary construction easement and ROW acquisition from the district (totaling 2.1 acres) on the northern edge of the Safeway Distribution Center Historic District. The land that would be acquired currently consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district, which was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District. The ROW acquisition also would include a temporary construction easement that extends to the Security Building (5DV10396), a contributing element that is directly east of the Transport Control Facility. However, the Security Building is not within the actual construction footprint and would not be demolished or moved as a result of the temporary construction easement.

There would be indirect effects in the form of noise, visual, and historic setting changes to the setting as a result of this option. This alternative would involve widening the highway to the north by approximately 95 feet in front of the Safeway Distribution Center Historic District. Visual effects would result from the increase in the visible mass of the highway. The Safeway Distribution Center Historic District may experience a small increase in traffic noise over time due to the freeway widening and added capacity. The undertaking would remove a small, non-contributing building, but the majority of the district would remain intact. The removal of a non-contributing feature within the district would not adversely impact the historic district. The visual elements and changes in noise levels introduced by the undertaking do not diminish the character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would cause **No Adverse Effect** to the Safeway Distribution Center Historic District.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, except that 2.5 acres of property would be required for temporary easements and ROW acquisitions. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for the Safeway Distribution Historic District.



**Figure 23. Safeway Distribution Center Historic District, Revised Viaduct Alternative, North and South Options**

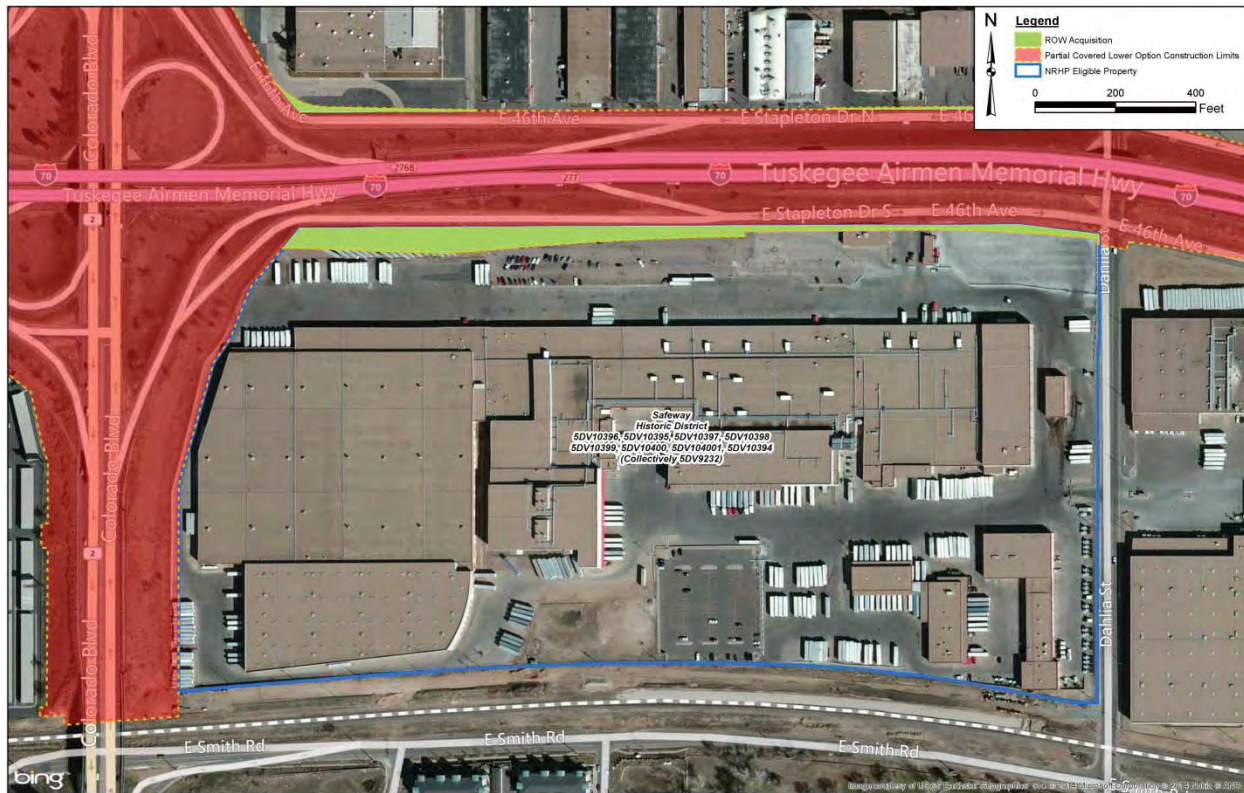


- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** There would be a partial ROW acquisition of 2.1 acres associated with the Partial Cover Lowered Alternative (Figure 24). The land impacted by this ROW acquisition consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district, which was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District. The ROW acquisition also would include a temporary construction easement that extends to the Security Building (5DV10396), a contributing element that is directly east of the Transport Control Facility. However, the Security Building is not within the actual construction footprint and would not be demolished or moved as a result of the temporary construction easement.

There also would be visual and historic setting changes in the area as a result of this alternative. These constitute indirect effects to the district, but do not diminish character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. The removal of the Transport Control Facility, a non-contributing feature within the district, would not adversely impact the historic district, nor would a temporary construction easement adjacent to the Security Building. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** to the Safeway Distribution Center Historic District.

Figure 24. Safeway Distribution Center Historic District, Partial Cover Lowered Alternative



### Market Street Railroad/Chicago, Burlington & Quincy Railroad (5AM1298)

Resource 5AM1298.2 is a segment of a standard-gauge railroad that begins north of Sand Creek Junction (located near West 60th Avenue and Brighton Boulevard), runs south to East 39th Avenue, turns west toward the Union Pacific Pullman Shops, and then southwest along Market Street to 18th Street. This segment of the railroad, which is currently in use and maintained, has three tracks that currently pass under the I-70 viaduct. The railroad alignment crosses East 46th Avenue at grade between Steele Street/Vasquez Boulevard and Colorado Boulevard. The Market Street Line also connects with the Union Pacific Railroad on Blake Street. Colorado, Burlington, & Quincy built the Market Street Line in 1911. The tracks, rail ties, and track bedding within this segment have been replaced and/or modified and a number of spurs along the entire linear resource have been rerouted or altered to accommodate the changing business climate of the areas through which it travels. Research indicates that this segment of mainline remains located along its original alignment and historic ROW and maintains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the broad history of the country's expansion of commerce in the west as well as the important role it played in the commercial development of metropolitan Denver and Colorado.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There would be a temporary easement on the railroad grade associated with the No-Action Alternative, North Option. The option would reconstruct the railroad tracks in place and would add railroad crossing panels, which would create a temporary effect to the railroad. A temporary construction easement encompassing 210 feet of the railroad would be required to facilitate track reconstruction. The undertaking would involve replacing the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require reconstructing the bridge that now crosses the railroad between Steele Street/Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, and the temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be



replaced along the historic alignment and within the historic ROW. The tracks, rail ties, and track bedding have already been regularly updated and are not original. In addition, a six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.

The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted by the removal and replacement of the viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the No-Action Alternative, North Option would result in a finding of **No Adverse Effect** for the resource.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a **No Adverse Effect** finding for the entire linear resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a temporary easement on the railroad grade associated with the Revised Viaduct Alternative, North Option. The option would reconstruct the railroad tracks in place and would add railroad crossing panels, which would create a temporary effect to the railroad measuring approximately 294 feet. The undertaking would involve replacing the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require replacing the bridge that now crosses the railroad between Steele Street/Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, and the temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be replaced along the historic alignment and within the historic ROW. The tracks, rail ties, and track bedding have already been regularly updated and are not original. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.

The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted by the removal and replacement of the existing viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the entire linear resource.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** There would be temporary and permanent easements to the railroad grade associated with either option of the Partial Cover Lowered Alternative because I-70 would be reconstructed below existing ground level. As a result, approximately 2,000 feet of the existing tracks would be relocated onto two new bridges crossing over I-70. The easternmost railroad track would be eliminated because the track has

been discontinued approximately 500 feet to the south of I-70 and is no longer needed for operations. This option would require both the permanent and temporary relocation of the railroad tracks to facilitate new bridge construction. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW. The relocation of track does not diminish the integrity of the property's significant historic attributes and would not alter the characteristics that qualify it for inclusion in the NRHP under Criterion A. CDOT has determined that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the resource.

### Union Pacific Beltline Railroad (5AM2083)

Resource 5AM2083.1 consists of a two-track segment of standard-gauge railroad that begins north of the westbound lanes of I-70 at Stapleton Drive and the frontage road on the north side of I-70. The rail line travels diagonally to the northwest, bisecting both the Union Pacific Railroad and BNSF Railway south of the Suncor Refinery. The ending location of the recorded segment of the rail line is located near East 56th Avenue and Elizabeth Street. The rail line was intended to connect manufacturing businesses in the north and west portion of the Denver metropolitan area to the eastern part of the Denver metropolitan area via the Rock Island and Union Pacific Railroad tracks. The mainline helped eliminate the need to travel through congested urban areas and was constructed in 1951. As of the date of the survey (2007), the railroad tracks appeared new and the ties had likely been replaced recently as well. The bed upon which the rails and ties sit also had been refilled and replaced with new stone over the years; however, original bed material lies beneath the newer ballasting. The segment within the APE contributes to the overall eligibility of the Union Pacific Beltline Railroad as a whole because the mainline continues to be located along the historic ROW and maintains its original purpose and function of connecting central, metropolitan Denver to other important rural and urban centers in the western United States and beyond. The Union Pacific Beltline Railroad is eligible for the NRHP under Criterion A for its association with the broad history of our country's expansion of commerce in the West.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** There would be no impacts to the railroad segment since the No-Action Alternative, North Option improvements end west of this resource, at Colorado Boulevard. Therefore, CDOT has determined that the No-Action Alternative, North Option would result in a finding of **No Historic Properties Affected** for this resource.
- **No-Action Alternative, South Option** There would be no impacts to the railroad segment, since the No-Action Alternative, South Option improvements end west of this resource, at Colorado Boulevard and there are no impacts to this resource. Therefore, CDOT has concluded that the No-Action Alternative, South Option would result in a finding of **No Historic Properties Affected** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This railroad segment begins north of I-70 at Stapleton Drive and heads northwest to a point near the Suncor refinery. Within the project corridor, the Union Pacific Railroad segment is located just west of the Quebec Street Interchange. The Revised Viaduct Alternative, North Option would construct a new I-70 bridge over the railroad west of Quebec Street, including improvements to the ramp that carries traffic from Quebec Street to westbound I-70. To facilitate overhead bridge construction, the project would require a temporary easement of 311 feet from the railroad. Other changes would include widening the interstate in this location. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The entire length of the railroad is already crossed by several features and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the



proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the resource.

- **Revised Viaduct Alternative, South Option:** This option would result in a similar impact as the Revised Viaduct Alternative, North Option. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** to this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Either option of the Partial Cover Lowered Alternative (similar to the Revised Viaduct Alternative, North and South Options) would construct a new I-70 bridge over the railroad west of Quebec Street including improvements to the ramp that carries traffic from Quebec Street to westbound I-70. To facilitate overhead bridge construction, the project would require a temporary easement of 311 feet from the railroad. Other changes would include widening the interstate in this location. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The entire length of the railroad is already crossed by several features and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** to the resource.

### **Tri-R Recycling Business, 3600 East 48th Avenue (5DV9227)**

This is a commercial property consisting of a brick office area backed by an attached cinderblock warehouse upon a concrete foundation. The building is located in the Elyria and Swansea Neighborhood of Denver in an area that is primarily industrial/commercial in character. The 2012 survey found a change in business names reflected in the change in the wooden sign on the northeast portion of the office, which has been covered with a laminate sign reflecting the new business name. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1957. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the Modern Movement and International architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is located north of I-70, just south of East 48th Avenue and 600 feet north of the existing interstate. The modified viaduct structure would be located 550 feet from the historic resource, or 50 feet closer. There would be no direct effects, since there are no temporary or permanent easements or ROW acquisitions from this resource. Potential indirect effects include changes to the visual setting from the replacement of the existing viaduct. The commercial property may experience a small increase in traffic noise over time, although detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 25 feet tall under this alternative.

Though the change in noise levels and wider viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the

ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. The viaduct is currently located 600 feet from the historic resource. Under this alternative, the improvements would be approximately the same distance from the historic resource. The existing viaduct is 24 feet tall at this location and it would be 25 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Tri-R Recycling is situated 600 feet north of the existing viaduct. The revised viaduct structure would be 484 feet from the historic resource. There would be no temporary or permanent easements or ROW acquisition, but potential indirect effects in the form of changes to the visual and historic setting would occur from the proposed work to widen I-70 and reconfigure the on- and off-ramps for traffic flow between I-70 and Colorado Boulevard. The property may experience an increase in traffic noise over time due to the widening of the highway and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The existing viaduct is 24 feet tall at this location and it would be 26 feet tall under this alternative.

Though the change in noise levels and wider viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Currently, the Tri-R Recycling business is located 600 feet north of the existing viaduct. Under this alternative, the proposed viaduct structure would be 571 feet from the resource. The existing viaduct is 24 feet tall at this location and it would be 26 feet tall under this alternative. CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The Tri-R Recycling business is located 600 feet north of the existing viaduct structure, which is outside of the northern limits of work for either option of the Partial Cover Lowered Alternative in Section 4. Under this alternative, the resource would be located 467 feet north of the proposed improvements. There would be no temporary or permanent easements or ROW acquisition but potential indirect effects in the form of changes to the visual and historic setting would occur due to the lowering of the interstate, eliminating the visual intrusion of the viaduct, and reconfiguring the on- and off-ramps for traffic flow between I-70 and Colorado Boulevard.

Though the change in noise levels and wider improvements proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect**.

### Univar, 4300 Holly Street (5DV9231)

Univar USA is a company that specializes in chemical distribution and hazardous materials transportation and disposal. This is a one-story, brick commercial building located in the Northeast Park Hill Neighborhood of Denver, south of I-70 in an area that is primarily industrial/commercial in character. The 2012 survey found no modifications or alterations to the property since the previous survey. The main building on this property does not appear to have undergone any structural additions or modifications since its 1960 date of construction. It is eligible for listing on the NRHP under Criterion C as a good example of a mid-20th century commercial building with International style features.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** There would be no effects to this resource, since the No-Action Alternative, North Option improvements end west of this resource, at Colorado Boulevard. Therefore, CDOT concluded that the No-Action Alternative, North Option would result in a finding of **No Historic Properties Affected** for the resource.
- **No-Action Alternative, South Option:** There would be no effects to this resource, since the No-Action Alternative, South Option improvements end west of this resource, at Colorado Boulevard. Therefore, CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Historic Properties Affected** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** There would be a permanent ROW acquisition of 458 square feet (less than 0.01 acre) of the northwest corner of the Univar property associated with the Revised Viaduct Alternative, North Option (Figure 25). The acquisition would impact a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. This is not considered to be an adverse effect because there would be no permanent physical changes to the acquired area of this parcel and the historic building would remain intact.

The Revised Viaduct Alternative, North Option would result in indirect effects in the form of noise, visual, and historic setting changes to this resource. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and the added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the revised viaduct or other visual changes, including the closer proximity of the viaduct to the resource, would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the resource.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** There would be permanent ROW acquisition of 458 square feet (less than 0.01 acre) of the northwest corner of the Univar property associated with either option of the Partial Cover Lowered Alternative (Figure 25). The acquisition would result in a permanent impact to a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. This is not considered to be an adverse effect because there would be no permanent physical changes to the acquired area of this parcel and the historic building would remain intact.

The Partial Cover Lowered Alternative would result in indirect effects in the form of noise, visual, and historic setting changes to this resource as a result of the lowered highway. This commercial



property may experience a small increase in traffic noise over time due to the widening of I-70 and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the lowered highway or other visual changes would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for the resource.

**Figure 25. Univar, Revised Viaduct Alternative, North and South Options, and Partial Cover Lowered Alternative**



### **General Motors Corporation-Goalie Construction Business, 4715 Colorado Boulevard (5DV9988)**

This is a one-story, commercial-use building with steel frame and posts, curtain walls (cinder block and brick faced), steel-deck roof, and concrete floors located north of I-70 and west of Colorado Boulevard. It is located in the Northeast Park Hill Neighborhood of Denver in an area that is primarily industrial/commercial in character. This building was constructed as a parts distribution center for General Motors Corp., Truck and Coach Division, in 1953 and was owned and operated by General Motors until the 1970s. The 2012 survey found the property is vacant. Only the sign framework remains on the upper right part of the east façade. A small wood frame and plywood addition on the rear of the building was not noted in the original survey; it is unknown when this addition was built. The building is eligible for listing on the NRHP under Criterion C as a good example of the International style of architecture.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located just west of Colorado Boulevard, 771 feet north of the existing I-70 infrastructure. Under this alternative, the viaduct would remain in its current location but expand approximately 43 feet to the north, closer to this building. The new improvements would be located 728 feet from the historic resource. No direct effects to the resource are identified under this alternative, since no temporary or permanent easements or ROW acquisitions would be required for this resource. Potential indirect effects include visual changes to the setting and increases in noise, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The existing viaduct structure is 24 feet tall, whereas the proposed viaduct would be 25 feet tall. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the business at 4715 Colorado Boulevard is located 771 feet north of the I-70 improvements. Under this alternative, the resource would be 767 feet from the highway, or four feet closer. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 25 feet tall. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property, which is located 771 feet north of the existing I-70 improvements, would be situated north of the northern limits of work for the Revised Viaduct Alternative, North Option in Section 4. The highway would remain in its current location but be widened to the north by approximately 140 feet, moving it closer to this property. The revised viaduct structure would be 631 feet from the historic resource. There would be no temporary or permanent easements or ROW acquisition and, therefore, no direct effects to the resource. Potential indirect effects in the form of changes to the visual setting would occur from the proposed work to widen I-70 and reconfigure the on- and off-ramps for traffic flow between I-70 and Colorado Boulevard. The existing viaduct is 24 feet tall at this location and it would be 26 feet tall under this alternative.

Though the change in noise levels and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Currently, the resource is located 771 feet north of the existing I-70 improvements. Under this alternative, the revised viaduct structure would be 740 feet south of the historic resource. The existing viaduct is 24 feet tall, whereas the proposed viaduct would be 26 feet tall. CDOT concluded that the Revised Viaduct Alternative, South Option would result in **No Adverse Effect** to this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** The business at 4715 Colorado Boulevard is currently located 771 feet north of the existing I-70 infrastructure. Under

this alternative, the resource would be 677 feet north of the proposed interstate improvements, and 10 to 20 feet west of the proposed improvements to Colorado Boulevard. There would be no temporary or permanent easements or ROW acquisition, but there would be potential indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate, eliminating the visual intrusion of the viaduct, and reconfiguring the on- and off-ramps for traffic flow between I-70 and Colorado Boulevard.

Though the demolition of the existing viaduct, placement of the interstate below grade 16 feet closer to this resource, and reconfiguring of the on- and off- ramps at Colorado Boulevard to the west represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered alternative would result in a determination of **No Adverse Effect** to the resource.

### **United States Rubber Co., 4800 Colorado Boulevard (5DV9989)**

This is a one-and-one-half-story, rectangular-plan, commercial-use building with a flat roof and a pier and brick masonry curtain wall construction. The building is located in the Northeast Park Hill Neighborhood of Denver, north of I-70 and east of Colorado Boulevard, in an area that is primarily industrial/commercial in character. The 2012 survey found a white picket fence installed in front of the windows on the southern portion of the west façade, next to the entrance door. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1954. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the International architectural style with Usonian elements. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This resource is currently located 1,215 feet north of the existing I-70 infrastructure. The No-Action Alternative, North Option would maintain the same distance to the resource as the current conditions. There would be no temporary or permanent easements or ROW acquisitions for this resource and, therefore, no direct effects are anticipated. There would be indirect effects from the replacement of the existing elevated I-70 in the form of visual changes to the setting. The existing viaduct is 24 feet tall at this location and it would be 25 feet tall under this alternative. The commercial property may experience a small increase in traffic noise over time due to the No-Action Alternative, North Option, although detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption.

Though the construction of the noise walls and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the resource is situated 1,215 feet north of the improvements. Under this alternative, the improvements would 1,219 feet from the historic resource. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 25 feet tall under this alternative. CDOT has concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.



- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This property is located 1,215 feet north of the existing viaduct and north of the northern limits of work for the Revised Viaduct Alternative, North Option in Section 4. Under this alternative, the revised viaduct would be 1,152 feet south of the historic resource. There would be no temporary or permanent easements or ROW acquisition but indirect effects in the form of visual and historic setting changes would occur from the proposed work to widen I-70 and reconfigure the on- and off-ramps for traffic flow between I-70 and Colorado Boulevard. The property may experience a small increase in traffic noise over time due to the widening of I-70, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The existing viaduct is 24 feet tall at this location, whereas the revised structure would be 25 feet tall under this alternative.

Though the change in noise levels and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, these changes would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. The business located at 4800 Colorado Boulevard is situated 1,215 feet north of the existing improvements. Under this alternative, the resource would be 1,168 feet from the proposed improvements. The existing viaduct is 24 feet tall at this location and it would be 26 feet tall under this alternative. CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** The business at 4800 Colorado Boulevard is located 1,215 feet north of existing interstate. This property would be located 1,153 feet north of the northern limits of work for either of the Partial Cover Lowered Alternative in Section 4. There would be no temporary or permanent easements or ROW acquisition, but there would be potential indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct.

Though the demolition of the existing viaduct and placement of the highway below grade represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered alternative would result in a determination of **No Adverse Effect**.

### **Core Power Construction/Buckley JD Inc. Buckley Explosives of Wyoming, 4701 Jackson Street (5DV10047)**

This is a one-story, T-shaped plan, commercial-use building constructed of iron posts with brick facing with a flat roof, located north of I-70. The building is located in an area that is primarily industrial/commercial in character. The 2012 survey found no modifications or alterations to the property from the 2007 survey. The period of significance of the subject resource, which is eligible under Criterion C for Architecture, is limited to its year of construction: 1955. The resource retains a sufficient degree of integrity of design, workmanship, and materials to express significance as a representation of the International architectural style. Integrity of the setting relative to the area and period of significance for the resource has been compromised through the introduction of setting elements outside the period of significance, including the construction of the existing viaduct, the removal of surrounding original buildings, the construction of newer residences and industrial buildings, and modifications to original building materials. Because the resource retains sufficient integrity to

convey its architectural significance, the existing condition of its setting was not found to diminish the features that qualify the resource for inclusion on the NRHP.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is located 587 feet north of the existing I-70 infrastructure. Under this alternative, the interstate would remain in its current location but expand 37 feet to the north, closer to this building. The new improvements would be located 550 feet from the historic resource. There would be no temporary or permanent easements or ROW acquisitions to this resource and, therefore, no direct effects to the resource. There would be indirect effects in the form of visual changes to the setting from the replacement of the existing elevated I-70 and an increase in noise levels. The existing viaduct is 24 feet tall at this location, whereas the new viaduct would be 25 feet tall under this alternative. The commercial property may experience a small increase in traffic noise over time due to the No-Action Alternative, North Option although detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption.

Though the change in noise levels and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of **No Adverse Effect**.

- **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Currently, the resource is located 587 feet from the existing I-70 infrastructure. Under this alternative, the resource would be 594 feet north of the interstate. The existing viaduct is 24 feet tall at this location and it would be 25 feet tall under this alternative. CDOT concluded that the No-Action Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The business at 4701 Jackson Street is currently located 587 feet north of the existing interstate infrastructure. Under this alternative, the highway would remain in its current location but be widened to the north by approximately 139 feet, moving it closer to this property. The new improvements would be 448 feet from the historic resource. There would be no temporary or permanent easements or ROW acquisition, but indirect effects in the form of noise, visual, and historic setting changes would occur from the proposed work to widen I-70 and reconfigure the on- and off-ramps for traffic flow between I-70 and Colorado Boulevard. The property may experience an increase in traffic noise over time due to the widening of I-70, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The existing viaduct is 24 feet tall at this location and it would be 26 feet tall under this alternative.

Though the change in noise levels and the altered viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect**.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. The resource is currently situated 587 feet north of I-70, whereas, under this alternative, the historic resource boundary would be 568 feet north of the Interstate. The existing viaduct is 24 feet tall at this location and it would be 26 feet tall under this alternative. CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative**

- **Partial Cover Lowered Alternative, Basic and Modified Options:** Currently, the Core Power Construction/Buckley JD Inc. Buckley Explosives of Wyoming resource is situated 587 feet from the existing I-70 infrastructure. Either option of the Partial Cover Lowered Alternative would shift the highway to the north, resulting in the historic property being located approximately 467 feet from I-70. There would be no direct effects from the proposed work through temporary or permanent easements or ROW acquisition, but there would be indirect effects related to noise, visual, and setting changes in the area due to the lowering of the interstate and eliminating the visual intrusion of the viaduct. The property may experience a small increase in traffic noise over time due to the widening of I-70, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption.

Though the demolition of the existing viaduct and placement of the highway below grade 27 feet closer to this resource represent a change in the resource setting, the construction of this alternative would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Partial Cover Lowered alternative would result in a determination of **No Adverse Effect** for this resource.

### **Rocky Mountain Arsenal Railroad (5DV7048)**

Resource 5DV7048.2 is a segment of the Rocky Mountain Arsenal Railroad that is an active standard-gauge railroad spur that departs the Union Pacific Railroad mainline and connects with the BNSF line to the northwest. The segment parallels Havana Street and enters the project corridor in the same location where Havana intersects I-70 in Section 4a. It was originally part of the Kansas Pacific (KP) Railway built in 1870. In 1880, KP Railway, Denver Pacific (DP), and Union Pacific Railroad were consolidated into an enlarged Union Pacific Railroad. This railroad segment of the Rocky Mountain Arsenal, and its associated structures and features in Adams and Denver Counties, has undergone a number of alterations. The addition of commercial buildings near and at I-70 has required rerouting of a portion of the Rocky Mountain Arsenal Railroad track. The appearance has been modified, but the grade is mostly intact and the ballast is still visible. Despite modifications, this segment retains sufficient integrity to support the eligibility of the larger linear resource, which is eligible for listing on the NRHP under Criterion C. In May 2009, as part of the Section 106 consultation for the Central Park Boulevard Environmental Assessment, SHPO concurred with this determination.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** This property is in Section 4a and not near the existing viaduct, so it would not be impacted by the No-Action Alternative, North Option. CDOT has determined that the No-Action Alternative, North Option would result in a determination of **No Historic Properties Affected** for this resource.
- **No-Action Alternative, South Option:** This property is in Section 4a and not near the existing viaduct, so it would not be impacted by the No-Action Alternative, South Option. CDOT has determined that the No-Action Alternative, South Option would result in a determination of **No Historic Properties Affected** for this resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would construct a new I-70 bridge and Havana Street ramp bridges over a relocated track spur. The relocation of the track would result in a direct effect to 1,230 feet of the railroad. Construction of the new bridge would require line realignment and grade lowering to meet the clearance specifications of the new bridge and the railroad would be relocated approximately 180 feet west of its current location. The alteration of this segment of the historic railroad line would modify the historic grade and would diminish the integrity of design and association, as well as the character-defining features that make the entire railroad eligible for the NRHP.



Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in an **Adverse Effect** to the resource.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concluded that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** Similar to the Revised Viaduct Alternative, North and South Options, either option of the Partial Cover Lowered Alternative would construct a new I-70 bridge and Havana Street ramp bridges over a relocated track spur. The relocation of the track would result in a direct effect to 1,230 feet of the railroad. Construction of the new bridge would require line realignment and grade lowering to meet the clearance specifications of the new bridge and the railroad would be relocated approximately 180 feet west of its current location. The alteration of this segment of the historic railroad line would modify the grade and diminish the integrity of design and association, as well as the character-defining features that make the entire railroad eligible for the NRHP. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the resource.

### High Line Canal (5AM261)

The recorded segment of the High Line Canal (5AM261.2), depicted in Section 4b, was an expansion of the original High Line Canal (Figure 17): it is located east of Tower Road. The canal system in the eastern Denver metropolitan area was built during the 1890s and early 1900s in response to fears and the reality of a drought during the early 1890s and to encourage the raising of sugar beets in the area. The entire High Line Canal system is significant under Criterion A for its association with agricultural and urban uses of water and irrigation and with the early settlement and development of Denver and the recorded segment supports the eligibility of the entire linear resource.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This property is in Section 4b and not near the viaduct, so it would not be impacted by the No-Action Alternative, North Option. Therefore, CDOT has determined that the No-Action Alternative, North Option would result in a finding of **No Historic Properties Affected** for this resource.
  - **No-Action Alternative, South Option:** This property is in Section 4b and not near the viaduct, so it would not be impacted by the No-Action Alternative, South Option. Therefore, CDOT has determined that the No-Action Alternative, South Option would result in a finding of **No Historic Properties Affected** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The High Line Canal passes under Tower Road through a concrete box culvert just south of the existing interchange with I-70. The Revised Viaduct Alternative, North Option would have no effect on the High Line Canal in Section 4b because it is outside of the APE. The work ends west of Tower Road and currently does not include impacts to this segment. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Historic Properties Affected** for this resource.
  - **Revised Viaduct Alternative, South Option:** As with the Revised Viaduct Alternative, North Option, CDOT has concluded that the south option would result in a finding of **No Historic Properties Affected** for this resource.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative, Basic and Modified Options:** The High Line Canal passes under Tower Road through a concrete box culvert just south of the existing interchange

with I-70. Neither of the options would have an effect on the High Line Canal segment in Section 4b because the only location where the Canal crosses the APE is under Tower Road. Current designs show the work would end west of Tower Road and would not include impacts to this segment. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Historic Properties Affected** for this resource.

## 7. Cumulative Impact Assessment for Historic Properties

Section 800.5 of the Section 106 regulations (36 CFR Part 800) requires federal agencies to consider the effects of their projects on historic properties. The criteria of adverse effect [800.5(a)(1)] includes the following language pertinent to cumulative effect assessments: “Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.” Accordingly, an assessment of potential cumulative impacts to historic properties in the I-70 East corridor is discussed in this section, following the text describing the direct and indirect effects. The study area for this analysis is the APE.

The analysis timeframe for this assessment was defined as 1960 through 2035 based on scoping and stakeholder input. 1960 was established as the starting date since that was the year that planning for I-70 began. The horizon year of 2035 is used in the CDOT *2035 Statewide Transportation Plan* (2008), the Denver Regional Council of Governments (DRCOG) *DRCOG 2035 Metro Vision Regional Transportation Plan* (2005), and the future planning year used for the Supplemental Draft EIS. Cumulative effects under NEPA are evaluated in the Draft EIS and Supplemental Draft EIS.

The methodology for this Section 106 cumulative effects assessment is reflective of reasonably foreseeable future effects, based on an analysis of past and present actions; reasonably foreseeable future effects are evaluated for each alternative and option, as required by 36 CFR Part 800.

### 7.1. Past Actions

Public outreach and research conducted for this document indicates that past projects have impacted neighborhood cohesion within the study area. The residential communities of Elyria and Swansea, Globeville, and Northeast Park Hill became bisected when I-70 was originally constructed in the early 1960s which also resulted in the operation of large-scale commercial operations along the interstate. In the 1960s, transportation projects—including I-70—required residential and commercial relocations. Residential acquisitions and relocations near I-70 were associated with the expansion of the National Western Complex Hall of Education (1973), Expo Hall (1991), and Events Center (1995). During these early I-70 years, areas along the interstate urbanized with commercial and industrial uses that benefitted from being close to the highway.

While Denver's central business district and the neighborhoods immediately surrounding downtown have seen redevelopment in the past 30 years, other neighborhoods immediately adjacent to I-70 have not benefitted from this urban renewal, and property values remain low. The relationship between socioeconomics, neighborhood cohesion, land use, ROW acquisition, noise, public infrastructure, and historic resources has been weak in the Elyria and Swansea Neighborhood. Even though the neighborhood has a number of significant historic resources, there has been very little effort prior to this project to better understand the history or to preserve or save buildings that are threatened. In addition, very little investment has been made in the historic resources of the neighborhood either through grant-funded preservation projects or by supporting the continued usage of older buildings as residences or as viable businesses or restaurants. The cohesion of the neighborhood has been negatively impacted by the location of the viaduct, which is a barrier for residents who want to travel within the neighborhood, including access to the Swansea Elementary School or local businesses.

### 7.2. Present Actions

The current study is examining a No-Action Alternative (with two options) and two build alternatives (Revised Viaduct Alternative and Partial Cover Lowered Alternative), each with two options. The project alternatives would utilize the existing highway alignment, but would expand to the north or south for constructability reasons or for additional capacity, requiring ROW acquisitions. A central concern with regard to the potential project and alternatives under evaluation with regard to cumulative effects to historic resources is related to



land use and the potential for induced development. The current I-70 East EIS studied the potential for changes in land use patterns and stimulation of induced development for each alternative considered. As reflected in Section 5.4.3 of the EIS, induced development occurs when project alternatives directly change how land is used or if project implementation induces enough anticipated or unanticipated development that land use patterns change. Induced development is possible when alternatives require highway access points where there are currently none.

### 7.3. Reasonably Foreseeable Future Actions

The reasonably foreseeable future actions are discussed below by alternative and option.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** In consideration of reasonably foreseeable future actions, the No-Action Alternative, North Option is not expected to improve future mobility and would not contribute to the development of urban centers and transportation improvement needs identified in the neighborhood. Under this alternative, the existing conditions with regard to land use within the corridor are not expected to change. The existing viaduct would be replaced with a new structure with similar characteristics (i.e., alignment, width, and elevation). Properties located both north and south of the alignment would be impacted as a result of this alternative by ROW acquisitions. The visual characteristics of the structure would be similar to the existing viaduct, although the introduction of the noise walls proposed to help offset the increased noise levels represents a new visual element in the setting. Since the No-Action Alternative, North Option does not include new access points, induced development is not anticipated.

The majority of eligible resources within the APE are eligible under Criterion C in the area of Architecture. The character-defining features of these resources are predominantly tied to the physical attributes of the resource; modifications to the setting would not affect the eligibility of these resources. A large number of resources are eligible under Criterion A and, in most cases, the integrity of the setting has been diminished and no longer contributes to the features of these resources that qualify them for the NRHP. Continued changes in setting would not diminish the features that qualify the resources within the APE for inclusion in the NRHP.

Since this alternative would replace the existing setting feature represented by the viaduct and is not anticipated to result in induced development or changes in land use, the No-Action Alternative, North Option would not result in cumulative effects. As a result, CDOT concluded that the No-Action Alternative, North Option would result in **No Adverse Effect** with respect to cumulative effects.

- **No-Action Alternative, South Option:** The No-Action Alternative, South Option has the same effects as No-Action Alternative, North Option. As a result, CDOT concluded that the No-Action Alternative, South Option would result in **No Adverse Effect** with respect to cumulative effects.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would improve future mobility more than the No-Action Alternative, since it would include additional capacity. Under this alternative, the existing conditions with regard to land use within the corridor are not expected to change. Under this alternative, the existing viaduct would be replaced with a new structure with similar characteristics (i.e., alignment and elevation); however, the replacement structure would be wider than the existing facility to provide for added capacity. Properties located both north and south of the alignment would be impacted as a result of this alternative by ROW acquisitions. The noise and visual characteristics of the structure would be similar to the existing viaduct (slightly larger due to the wider viaduct) with the exception of the introduction of new noise walls to mitigate noise impacts but which also would introduce a new visual element in the setting.

The majority of eligible resources within the APE are eligible under Criterion C; therefore, modifications to the setting would not affect the eligibility of most resources in this area. A large number of resources are eligible under Criterion A and, in most cases, the integrity of the setting has been diminished and no longer contributes to the features of the resource that qualify it for the NRHP. Continued changes in setting would not diminish the features that qualify the resources within the APE for inclusion in the NRHP.

The Revised Viaduct Alternative, North Option removes the York Street Interchange and consolidates the existing slip-ramp interchange system of Dahlia Street, Holly Street, and Monaco Street to a single interchange at Holly Street. The streamlined intersections created under this alternative are designed to alleviate congestion but are not anticipated to create access-related land use changes. Because no new interchanges are proposed, this alternative is not anticipated to induce development or cause unforeseen land use changes.

Since this alternative would replace the existing setting feature represented by the viaduct and is not anticipated to result in induced development or changes in land use, it would not result in cumulative effects tied to the undertaking under this alternative. As a result, CDOT concluded that the Revised Viaduct Alternative, North Option would result in **No Adverse Effect** with respect to cumulative effects.

- **Revised Viaduct Alternative, South Option:** Same as Revised Viaduct Alternative, North Option.
- **Partial Cover Lowered Alternative**
  - **Partial Cover Lowered Alternative (Basic or Modified Options):** Either option of the Partial Cover Lowered Alternative would improve future mobility more than the No-Action Alternative, since it would include additional capacity. Under this alternative, the existing conditions with regard to land use within the corridor are not expected to change. Under this alternative, the highway corridor would follow a similar alignment as the existing facility, but would be at or below grade. The Partial Cover Lowered Alternative would be wider than the existing facility to allow for additional capacity and for East 46th Avenue to be relocated adjacent to the interstate. Future land use conditions are anticipated to be a mix of land development types, including residential, commercial, and industrial development interspersed with government/institutional properties and parks/open space, which is similar to the existing conditions. Improved mobility may support developing urban centers within the Elyria and Swansea Neighborhood. These urban centers could result in foreseeable investments in residential and commercial development, which could ultimately benefit historic resources through restoration and rehabilitation efforts. Conversely, the investment in the community could result in the redevelopment of the area and demolition or alteration of historic buildings, resulting in impacts to the historic character of the community.

Properties located both north and south of the alignment would be impacted by ROW acquisitions as a result of this alternative. Lowering the highway, as a part of both options for the Partial Cover Lowered Alternative, results in a minimization of noise impacts and affects fewer dwelling units than either the No-Action Alternative or Revised Viaduct Alternative. The viaduct structure is not identified as a contributing setting feature in the eligibility of any historic resources evaluated within the APE. Some resources—in particular, those significant in the area of industry and commerce under Criterion A—are significant for their connection to the transportation corridor, not necessarily the viaduct structure itself. This alternative preserves the transportation corridor; therefore, the removal of the viaduct does not diminish the features that qualify the resources for the NRHP.

Similar to the previously discussed alternatives, proposed noise walls would help offset increased noise levels, but introduce new visual setting elements. The majority of eligible resources within the APE are eligible under Criterion C; therefore, modifications to the setting would not affect the eligibility of most resources in this area. A large number of resources are

eligible under Criterion A and, in most cases, the integrity of the setting has been diminished and no longer contributes to the features of the resource that qualify it for the NRHP. Continued changes in setting would not diminish the features that qualify the resources within the APE for inclusion in the NRHP.

The Partial Cover Lowered Alternative, Basic Option removes the York Street Interchange and consolidates the existing slip-ramp system of Dahlia Street, Holly Street, and Monaco Street to a single interchange at Holly Street. In addition, the Partial Cover Lowered Alternative, Modified Option, includes removal of highway access at York Street and Steele Street/Vasquez Boulevard. The Basic Option is not anticipated to induce development or create unforeseen changes in access-related land use. The Modified Option could result in access-related land use changes as a result of the loss of convenient highway access for commercial and industrial properties in the Elyria and Swansea Neighborhood. Improved intersections at Brighton Boulevard and Colorado Boulevard may negate the potential access-related changes. Because no new connectivity is proposed, the subject alternative is not anticipated to induce development.

The subject alternative is not anticipated to result in setting changes that would diminish the eligibility of historic resources beyond those affected by acquisition, and the alternative is not anticipated to result in induced development. Neither option of the Partial Cover Lowered Alternative would result in cumulative effects. As a result, CDOT concluded that the Partial Cover Lowered Alternative would result in **No Adverse Effect** with respect to cumulative effects.



## 8. Conclusion

The majority of the eligible resources along this corridor are eligible for Criterion C, in the area of Architecture. The buildings retain sufficient integrity to support eligibility though the integrity of the setting is poor due to extensive alterations to the neighborhood (including the original construction of the I-70 viaduct); further modifications to this transportation corridor would not diminish the features of the majority of the resources that qualify them for inclusion in the NRHP. The integrity of setting is a diminished feature common to the resources in this project area. A majority of resources in the corridor are significant for and retain integrity based on intrinsic features of the physical building or property, though some areas have maintained greater neighborhood character. Therefore further modification does not diminish the features or integrity qualifying resources in the area for individual eligibility to the NRHP. A large number of resources are eligible under Criterion A and, in most cases, the integrity of the setting has been diminished and no longer contributes to the features of these resources that qualify them for the NRHP. Continued changes in setting would not diminish the features that qualify the resources within the APE for inclusion in the NRHP.

These effect determinations have been prepared in accordance with 36 CFR 800, and 36 CFR 800.5, pertaining to the assessment of adverse effects. CDOT and FHWA request that consulting parties provide comments on these determinations. Consulting parties are encouraged to use the digital format provided to insert comments, questions, or issues into the document.

In conclusion, all of the effect determinations are summarized in Table 10 through Table 13.

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Table 10. Section 1 summary of eligibility and effects

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative			Revised Viaduct Alternative			Partial Cover Lowered Alternative		
			North Option	South Option	South Option	North Option	South Option	South Option	Basic Option	Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	
Historic Districts											
5DV10050	National Western Historic District	<ul style="list-style-type: none"><li>Eligible A &amp; C</li><li>Commerce, economics, and social history with connection to meat packing and cattle raising industries</li><li>Architecture for variety of styles represented in buildings in district.</li><li>Seven contributing buildings within APE.</li></ul>	Historic setting—outfall	No Historic Properties Affected	Historic setting—outfall	No Adverse Effect	Historic setting—outfall	No Adverse Effect	Historic setting—outfall	No Adverse Effect	
			Adjacent outfall	No Adverse Effect	Adjacent outfall	No Adverse Effect	Adjacent outfall	No Adverse Effect			
5AM125	Riverside Cemetery 5201 Brighton Boulevard	Listed—National Register	Adjacent outfall	No Adverse Effect	Adjacent outfall	No Adverse Effect	Adjacent outfall	No Adverse Effect	Adjacent outfall	No Adverse Effect	
Linear Resources											
5DV6247.3	Burlington and Colorado/Chicago, Burlington, and Quincy Railroad Segment	Segment supports the eligibility of the overall linear resource	None	No Historic Properties Affected	None	No Historic Properties Affected	None	No Historic Properties Affected	Historic setting, visual, noise	No Historic Properties Affected	
5DV11283	York Street/East 40 <sup>th</sup> Ave. Brick Sanitary Sewer	<ul style="list-style-type: none"><li>Eligible D</li><li>Oval-shaped brick sewer</li></ul>	Nearby Interstate alteration	No Adverse Effect	Nearby Interstate alteration	No Adverse Effect	Nearby Interstate alteration	No Adverse Effect	Reconstruct sewer	Adverse Effect	
5DV4725.5	Delgany Common Interceptor Sewer	<ul style="list-style-type: none"><li>Eligible D</li><li>Brick sewer</li></ul>	Nearby Interstate alteration	No Historic Properties Affected	Nearby Interstate alteration	No Historic Properties Affected	Nearby Interstate alteration	No Historic Properties Affected	Nearby Interstate alteration	No Adverse Effect	
5AM465.9	Burlington Ditch/O'Brien Canal	<ul style="list-style-type: none"><li>Eligible A</li><li>Ditch/Canal</li></ul>	Outfall piping	No Adverse Effect	Outfall piping	No Adverse Effect	Outfall piping	No Adverse Effect	Outfall piping	No Adverse Effect	
Individually-Eligible Properties											
5DV1247	Kosik Residence 4681–4683 Baldwin Court	<ul style="list-style-type: none"><li>Eligible C</li><li>One-story dual occupancy residential brick building, Denver Terrace style</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	
5DV9660	Torres Residence 4656 Baldwin Court	<ul style="list-style-type: none"><li>Eligible C</li><li>One-and-one-half-story residential brick building, Late-Victorian style</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	



Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative				Revised Viaduct Alternative				Partial Cover Lowered Alternative			
			North Option		South Option		North Option		South Option		Basic Option		Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect
5DV9735	Rudy/Bernal Residence 4618 High Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One residential brick building, Late-Victorian style</li> </ul>	Full ROW acquisition due to proximity to new viaduct	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect
5DV9780	Garcia Residence 4617–4625 Race Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>Two-story multi-family brick residence, Late 19th Century American Movements/Terrace</li> </ul>	Full ROW acquisition due to proximity to new viaduct	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect
5DV9795	Adams Clock LLC/Mann Residence 4645 Williams Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story brick residence, Late 19th Century Revivals/Terrace</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9805	E.G. Trading Post 1630–1632 East 47th Avenue	<ul style="list-style-type: none"> <li>Eligible A &amp; C</li> <li>One-story retail/commercial brick building; social history of Elyria as a local brewery and saloon, commercial form of the Denver Terrace style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9823	Miller Residence 4675 Williams Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-and-one-half-story residential building, Late-Victorian Vernacular Style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9828	Herzberg Property 4665–4669 Williams Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story, multiple family residential brick building, Denver Terrace style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10034	Ponce Residence 4668 High Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One and one half residential building 19th Century American Movement style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative				Revised Viaduct Alternative				Partial Cover Lowered Alternative			
			North Option		South Option		North Option		South Option		Basic Option		Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect
5DV10040	Garcia Residence 4695 High Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-and-one-half-story brick residential building. Victorian Vernacular style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10085	Allen Investment Group, Inc./Kretschmar Residence 4662-4664 Williams Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story multiple family brick residential building</li> <li>Craftsman style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10135	Abrams/Loretta Residence 4679 Vine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-and-one-half-story residential building. Late-Victorian Vernacular style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect

Table 11. Section 2 summary of eligibility and effects

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative			Revised Viaduct Alternative			Partial Cover Lowered Alternative					
			North Option		South Option		North Option		South Option		Basic Option		Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect
Railroads														
5DV6248.4	Union Pacific Railroad Segment	Segment supports the eligibility of the overall linear resource	Temporary impact of 301 feet	No Adverse Effect	Temporary impact of 295 feet	No Adverse Effect	Temporary easement of 301 feet; boring of storm drain beneath railroad	No Adverse Effect	Temporary easement of 295 feet; boring of storm drain beneath railroad	No Adverse Effect	Replace bridge that is non-contributing to railroad; temporary impact of 549 feet of railroad; boring of storm drain under railroad in 2 locations	Adverse Effect	Replace bridge that is non-contributing to railroad; temporary impact of 549 feet of railroad; boring of storm drain under railroad in 2 locations	Adverse Effect
Individually-Eligible Properties														
5DV1172	Hovan/Plazola Residence 4673 Josephine Street	<ul style="list-style-type: none"><li>Eligible C</li><li>One-story brick residential building.</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV5677	Miranda Residence 4632 Josephine Street	<ul style="list-style-type: none"><li>Eligible C</li><li>One-and-one-half-story residential brick building, Late-Victorian style with Queen Anne elements</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	<ul style="list-style-type: none"><li>Eligible A &amp; C</li><li>Association with the rise of the motel industry in the first half of the 20th Century and association with National Western Stock Show and tourism; rare example of 1940s motor court. Colonial Revival style.</li></ul>	Full ROW acquisition	Adverse Effect	Partial ROW acquisition of 0.01 acre, no take of building	Adverse Effect	Full ROW acquisition	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect
5DV9245	Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue	<ul style="list-style-type: none"><li>Eligible A</li><li>Historical impact on the Denver manufacturing industry and represents the only building of its type in the central Denver area.</li></ul>	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Temp. Const. Easement/ Historic setting, visual, noise	No Adverse Effect	Temp. Const. Easement/ Historic setting, visual, noise	No Adverse Effect
5DV9655	Sanchez Business 2381 East 46th Avenue	<ul style="list-style-type: none"><li>Eligible A &amp; C</li><li>One-story irregular plan brick commercial building. It is a good example of a 1950s neighborhood gas station.</li></ul>	Full ROW acquisition	Adverse Effect	Partial acquisition of 0.02 acre, no take of building	Adverse Effect	Full ROW acquisition	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative				Revised Viaduct Alternative				Partial Cover Lowered Alternative			
			North Option		South Option		North Option		South Option		Basic Option		Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect
5DV9667	Brown and Alarid Residence 4637 Claude Court	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story residential building. Good example of Late-Victorian Vernacular style with a bungalow-type massing.</li></ul>	No ROW from property, but ROW would be acquired from property on south	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect	
5DV9668	Toth/Kelly Residence 4639 Claude Court	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story residential building. Good example of Late-Victorian Vernacular style.</li></ul>	No ROW from property, but construction limits are east of property; Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect	
5DV9705	Castorena/Braswell Residence 4631 Columbine Street	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story brick residential building. Good example of Late-Victorian style with Queen Anne elements.</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	
5DV9706	Pavon Residence 4633 Columbine Street	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story brick residential building. Good example of Late-Victorian style with Queen Anne elements.</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	
5DV9742	Langenberg Residence 4502 Josephine Street	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-and-one-half-story residential building. Representative of Classic Cottage style.</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	
5DV9745	Kenworthy/Wyckoff Residence 4529 Josephine Street	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story brick residential building. Architecturally representative of a Craftsman/Bungalow style.</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	
5DV9746	Portales Residence 4608 Josephine Street	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story residential building. Late-Victorian style house with a Craftsman-type porch.</li></ul>	Full ROW acquisition	Adverse Effect	Partial ROW acquisition of 0.02 acre, no impact to building	Adverse Effect	Full ROW acquisition	Adverse Effect	Historic setting, visual, noise	Full ROW acquisition	Adverse Effect	Full ROW acquisition	Adverse Effect	



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Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative				Revised Viaduct Alternative				Partial Cover Lowered Alternative			
			North Option	Finding of Effect	Type of Effect	South Option	Finding of Effect	Type of Effect	North Option	Finding of Effect	South Option	Finding of Effect	Type of Effect	Modified Option
5DV9748	Chavez Residence 4628 Josephine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story residential building. Good example of Late-Victorian architecture with Queen Anne style elements.</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9751	Wagoner Residence 4647 Josephine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story residential building. Architecturally distinct for its unique stylistic variation on a Late-Victorian with Queen Anne style elements.</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9753	James Residence 4651 Josephine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story residential building. Good example of Late-Victorian architecture with Queen Anne style elements.</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9761	Krutzer/Barajas Residence 4681 Josephine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story brick residential building. Architecturally representative of the Denver Terrace form</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9762	Geo. Trust/Araujo Residence 4682 Josephine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story residential building. Good example of Late-Victorian Vernacular with Queen Anne style elements.</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV5623/ 5DV9765	Lovato Residence 4696 Josephine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-and-one-half-story brick residential building. Good example of Late-Victorian Vernacular with Queen Anne style elements.</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9787	Portales Residence/ Windsor Artesian Water Company 4623-4625 Thompson Court	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story residential building. Good example of Late-Victorian Vernacular with Queen Anne style elements.</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9801	Stop-N-Shop Food Store 4600 York Street	<ul style="list-style-type: none"> <li>Eligible A</li> <li>One-story L-shaped brick commercial building. Good example of a 20th century Modernistic gas station.</li> </ul>	Full ROW acquisition	Adverse Effect	Partial ROW acquisition of 0.02 acre, no impact to building	Adverse Effect	No Adverse Effect	Full ROW acquisition	Adverse Effect	No Adverse Effect	Historic setting, visual, noise	Full ROW acquisition	Adverse Effect	Adverse Effect

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative				Revised Viaduct Alternative				Partial Cover Lowered Alternative			
			North Option	Finding of Effect	Type of Effect	South Option	Finding of Effect	Type of Effect	North Option	Finding of Effect	Type of Effect	South Option	Finding of Effect	Type of Effect
5DV9994	Gonzales Residence 4515 Columbine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One story brick residential building. Good example of Late-Victorian style with Queen Anne elements.</li> </ul>	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise
5DV9996	Tomas/Eagan Residence 4653 Columbine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One and one half story brick residential building. Good example of Late-Victorian style with Queen Anne elements.</li> </ul>	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise
5DV10058	Huffman Residence 4707 Josephine Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One story brick residential building. Architecturally representative of the Denver Terrace form</li> </ul>	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise
5DV10124	Clay II LLC/Roshan Residence 4459 Thompson Court	<ul style="list-style-type: none"> <li>Eligible C</li> <li>Two story brick residential building. Good architectural example of a simple Bungalow style.</li> </ul>	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise

Table 12. Section 3 summary of eligibility and effects

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative			Revised Viaduct Alternative			Partial Cover Lowered Alternative								
			Type of Effect	Finding of Effect	Type of Effect	North Option	Type of Effect	Finding of Effect	South Option	Type of Effect	Finding of Effect	Basic Option	Type of Effect	Finding of Effect	Modified Option	Type of Effect	Finding of Effect
Historic Districts																	
5DV10126	Alfred R. Wessel Historic District	<ul style="list-style-type: none"><li>• Eligible A, B, and C</li><li>• Social history, community planning and development because of the need for mass housing after WW II</li><li>• Association with merchant builder Alfred R. Wessel</li><li>• Architecture Minimal Traditional Form</li><li>• 49 contributing buildings within APE.</li></ul>	Full permanent ROW acquisition and demolition of two contributing buildings: 5DV9682 5DV9683	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full permanent ROW Acquisition and demolition of buildings on seven contributing parcels: 5DV9682 5DV9683 5DV9684 5DV9685 5DV9726 5DV9727 5DV9728	Adverse Effect	Partial ROW acquisition on 2 contributing parcels: 5DV9726 5DV9727	Adverse Effect	Full permanent ROW acquisition and demolition of 9 contributing buildings and partial acquisition of 1 building: 5DV9682 5DV9683 5DV9684 5DV9685 5DV9686 5DV9687 5DV9689 (partial acquisition)	Adverse Effect	Full permanent ROW acquisition and demolition of 9 contributing buildings and partial acquisition of 1 building: 5DV9682 5DV9683 5DV9684 5DV9685 5DV9686 5DV9687 5DV9689 (partial acquisition)	Adverse Effect	Full permanent ROW acquisition and demolition of 9 contributing buildings and partial acquisition of 1 building: 5DV9682 5DV9683 5DV9684 5DV9685 5DV9686 5DV9687 5DV9689 (partial acquisition)	Adverse Effect	
Eligible Properties																	
5DV9678	Rodriguez Residence 4539 Clayton Street	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story residential building, Denver Terrace form with Classical decorative elements</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	
5DV9679	Residence 4541 Clayton Street	<ul style="list-style-type: none"><li>• Eligible C</li><li>• One-story residential brick building, Denver Terrace form with Classical revival elements</li></ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Full ROW acquisition	Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative				Revised Viaduct Alternative				Partial Cover Lowered Alternative			
			North Option		South Option		North Option		South Option		Basic Option		Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect
5DV9714	Olive Street LLC Property 4503 Fillmore Street	<ul style="list-style-type: none"> <li>• Eligible C</li> <li>• One-and-one-half-story residential brick building; Representative of Dutch Colonial Revival style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9966	Yoshimura Residence 4450 Adams Street	<ul style="list-style-type: none"> <li>• Eligible C</li> <li>• One-story residential building; Representative of Minimal Traditional style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9968	McGee Residence 4460 Adams Street	<ul style="list-style-type: none"> <li>• Eligible C</li> <li>• One-story residential building; Representative of Minimal Traditional style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10003	Vasquez Residence 4450 Cook Street	<ul style="list-style-type: none"> <li>• Eligible C</li> <li>• One-story brick residential building; Representative of Minimal Traditional style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10013	Guerca/Perez Residence 4446 Fillmore Street	<ul style="list-style-type: none"> <li>• Eligible C</li> <li>• One-and-one-half-story residential building; Representative of Late-Victorian Vernacular style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10014	Tenenbaum Residence 4453 Fillmore Street	<ul style="list-style-type: none"> <li>• Eligible C</li> <li>• One-story brick residential building; Representative of Minimal Traditional style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10065	Lopez/Hartzell Residence 4461 Milwaukee Street	<ul style="list-style-type: none"> <li>• Eligible C</li> <li>• One-story brick residential building; Good example of Minimal Traditional style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect



**Table 13. Section 4 summary of eligibility and effects**

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative			Revised Viaduct Alternative			Partial Cover Lowered Alternative					
			North Option		South Option		North Option		South Option		Basic Option		Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect
Historic Districts														
5DV9232	Safeway Distribution Center Historic District	Eligible A & C Commerce, and economics with connection to Denver as marketing center after World War II; Architecture the significant features and design in the warehouse and use of transportation in one structure six contributing buildings within APE.	None	No Historic Properties Affected	None	No Historic Properties Affected	ROW acquisition of 2.1 acres	No Adverse Effect	ROW acquisition of 2.5 acres	No adverse effect	ROW Acquisition of 2.5 acres	No adverse effect	ROW Acquisition of 2.5 acres	No adverse effect
Linear Resources														
5AM1298.2	Market Street RR/ Chicago Burlington & Quincy Railroad Segment	Eligible A Association with broad history of expansion of commerce in the West Segment supports the eligibility of the overall linear resource	Wider viaduct over railroad. Temporary impact of 210 feet	No Adverse Effect	Wider viaduct over railroad. Temporary impact of 209 feet	No Adverse Effect	Temporary impact of 294 feet of segment	No Adverse Effect	Temporary impact of 335 feet of segment	No Adverse Effect	Relocation of 2,000 feet of track onto two new bridges; elimination of easternmost track; boring pipeline under railroad	Adverse Effect	Relocation of 2,000 feet of track onto two new bridges; elimination of easternmost track; boring pipeline under railroad	Adverse Effect
5AM2083.1	Union Pacific Beltline RR Segment	Eligible A Association with broad history of expansion of commerce in the West Segment supports the eligibility of the overall linear resource	None	No Historic Properties Affected	None	No Historic Properties Affected	Temporary easement of 311 feet	No Adverse Effect	Temporary easement of 311 feet of segment	No Adverse Effect	Temporary easement of 311 feet of segment	No Adverse Effect	Temporary easement of 311 feet of segment	No Adverse Effect
5AM261.2	High Line Canal	Eligible A Association with agricultural and urban use of water and irrigation, and with the early settlement and development of Denver	None	No Historic Properties Affected	None	No Historic Properties Affected	None	No Historic Properties Affected	None	No Historic Properties Affected	None	No Historic Properties Affected	None	No Historic Properties Affected
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	Segment supports the eligibility of the overall linear resource	None	No Historic Properties Affected	None	No Historic Properties Affected	Reconstruction of I-70 bridge over railroad, relocate 1,230 feet of segment	Adverse Effect	Reconstruction of I-70 bridge over railroad, relocate 1,230 feet of segment	Adverse Effect	Reconstruction of I-70 bridge over railroad; relocation of 1230 feet of segment	Adverse Effect	Reconstruction of I-70 bridge over railroad; relocation of 1230 feet of segment	Adverse Effect

Site Number	Property Name and Address	National Register Eligibility/NRHP Criterion/short description	No-Action Alternative				Revised Viaduct Alternative				Partial Cover/Lowered Alternative			
			North Option		South Option		North Option		South Option		Basic Option		Modified Option	
			Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect	Type of Effect	Finding of Effect
<b>Individually-Eligible Properties</b>														
5DV9227	Tri-R Recycling 3600 East 48th Avenue	<ul style="list-style-type: none"> <li>Eligible C</li> <li>Cinderblock warehouse/commercial building: a good example of the Modern Movement and International style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9231	Univar 4300 Holly Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story brick commercial building: mid-20th century building with International style features</li> </ul>	None	No Historic properties affected	None	No Historic Properties Affected	Partial ROW acquisition of 458 square feet (<0.01 acre)	No Adverse Effect	Partial ROW acquisition of 458 square feet (<0.01 acre)	No Adverse Effect	Partial ROW acquisition of 458 square feet (<0.01 acre)	No Adverse Effect	Partial ROW acquisition of 458 square feet (<0.01 acre)	No Adverse Effect
5DV9988	General Motors Corporation-Goalie Construction Business 4715 Colorado Boulevard	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story brick commercial building, good example of the International style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV9989	4800 Colorado LLC/United States Rubber Company 4800 Colorado Boulevard	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story brick commercial building: good example of International style with Usonian elements</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect
5DV10047	Core Power Construction/Buckley JD Inc.-Buckley Explosives of Wyoming 4701 Jackson Street	<ul style="list-style-type: none"> <li>Eligible C</li> <li>One-story commercial building, good example of International style</li> </ul>	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect	Historic setting, visual, noise	No Adverse Effect

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## 9. References

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**Attachment I – Appendix A**  
**Correspondence from CDOT to SHPO**  
**and Consulting Parties, December 27,**  
**2012**



# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



December 27, 2012

Mr. Ed Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

RE: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor Supplemental Draft East Environmental Impact Statement

Dear Mr. Nichols:

On behalf of the Federal Highway Administration (FHWA), the Colorado Department of Transportation (CDOT) is requesting comments from the Colorado State Historic Preservation Officer (SHPO) and Section 106 consulting parties on a revised Area of Potential Effect for the I-70 East Corridor Draft Environmental Impact Statement (DEIS). CDOT and FHWA will publish the Supplemental DEIS in summer 2013. The Supplemental DEIS builds upon data previously analyzed in the Draft EIS for I-70 East, published in 2009. As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor and will determine potential effects to historic properties using updated designs for the alternatives studied in the 2008 DEIS and Supplemental DEIS. Properties constructed in 1965 or earlier will be evaluated for the purpose of the Supplemental DEIS. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS. It is understood, therefore, that the APE boundaries are subject to change as new information about the project becomes available.

Attached please find a Memo and map book prepared by Pinyon Environmental, which will be conducting the historic survey and preparing the effects determinations for the project. The memo provides a detailed description of the revised Area of Potential Effect (APE).

This revised Section 106 APE consultation is also being copied to the following consulting parties:

- City of Denver Preservation Landmark Commission
- Historic Denver
- Colorado Preservation, Inc.
- Fairmount Heritage Foundation (representing Riverside Cemetery)

If CDOT receives consulting party comments on these findings, we will forward them to you. Please provide any comments, questions, or concerns to Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager

cc: Kirk Webb, CDOT Region 6  
Chris Horn, FHWA

Attachments: Revised Area of Potential Effect map book  
Memo for File, Summary of Revised Area of Potential Effect, CDOT I-70 East EIS, December 26, 2012



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## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



December 27, 2012

Mr. John Olson  
Historic Denver, Inc.  
1420 Ogden St.  
Suite 202  
Denver, CO 80218

RE: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor Supplemental Draft East Environmental Impact Statement

Dear Mr. Olson:

On behalf of the Federal Highway Administration (FHWA), the Colorado Department of Transportation (CDOT) is requesting comments from the Colorado State Historic Preservation Officer (SHPO) and Section 106 consulting parties on a revised Area of Potential Effect for the I-70 East Corridor Draft Environmental Impact Statement (DEIS). CDOT and FHWA will publish the Supplemental DEIS in summer 2013. The Supplemental DEIS builds upon data previously analyzed in the Draft EIS for I-70 East, published in 2008. As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor and will determine potential effects to historic properties using updated designs for the alternatives studied in the 2008 DEIS and Supplemental DEIS. Properties constructed in 1965 or earlier will be evaluated for the purpose of the Supplemental DEIS. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS. It is understood, therefore, that the APE boundaries are subject to change as new information about the project becomes available.

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Sincerely,

Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager

cc: Kirk Webb, CDOT Region 6  
Chris Horn, FHWA

Attachments: Revised Area of Potential Effect map book  
Memo for File, Summary of Revised Area of Potential Effect, CDOT I-70 East EIS, December 26, 2012

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



December 27, 2012

Ms. Patricia Carmody  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

RE: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor Supplemental Draft East Environmental Impact Statement

Dear Ms. Carmody:

On behalf of the Federal Highway Administration (FHWA), the Colorado Department of Transportation (CDOT) is requesting comments from the Colorado State Historic Preservation Officer (SHPO) and Section 106 consulting parties on a revised Area of Potential Effect for the I-70 East Corridor Draft Environmental Impact Statement (DEIS). CDOT and FHWA will publish the Supplemental DEIS in summer 2013. The Supplemental DEIS builds upon data previously analyzed in the Draft EIS for I-70 East, published in 2008. As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor and will determine potential effects to historic properties using updated designs for the alternatives studied in the 2008 DEIS and Supplemental DEIS. Properties constructed in 1965 or earlier will be evaluated for the purpose of the Supplemental DEIS. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS. It is understood, therefore, that the APE boundaries are subject to change as new information about the project becomes available.

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- Historic Denver
- Colorado Preservation, Inc.

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If you are interested in participating as a consulting party for this Supplemental DEIS under Section 106 guidelines, please respond in writing within 30 days of receipt of this letter to Ashley L. Bushey, Region 6 Senior Staff Historian, at the address on the letterhead. We request that your response include a statement of demonstrated interest in historic properties associated with this Supplemental DEIS, as stipulated in the Section 106 regulations.

If you elect to become a consulting party, we will continue to keep you informed of any changes to the project area. If you require additional information or have questions about the Section 106 process, please contact Ms. Bushey at (303) 757.9397.

Sincerely,

*for* 

Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager

cc: Kirk Webb, CDOT Region 6  
Chris Horn, FHWA

Attachments: Revised Area of Potential Effect map book  
Memo for File, Summary of Revised Area of Potential Effect, CDOT I-70 East EIS, December 26, 2012



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Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
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December 27, 2012

Ms. Rachel Parris  
Colorado Preservation, Inc.  
1420 Ogden St.  
Suite 103  
Denver, CO 80218

RE: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor Supplemental Draft East Environmental Impact Statement

Dear Ms. Parris:

On behalf of the Federal Highway Administration (FHWA), the Colorado Department of Transportation (CDOT) is requesting comments from the Colorado State Historic Preservation Officer (SHPO) and Section 106 consulting parties on a revised Area of Potential Effect for the I-70 East Corridor Draft Environmental Impact Statement (DEIS). CDOT and FHWA will publish the Supplemental DEIS in summer 2013. The Supplemental DEIS builds upon data previously analyzed in the Draft EIS for I-70 East, published in 2008. As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor and will determine potential effects to historic properties using updated designs for the alternatives studied in the 2008 DEIS and Supplemental DEIS. Properties constructed in 1965 or earlier will be evaluated for the purpose of the Supplemental DEIS. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS. It is understood, therefore, that the APE boundaries are subject to change as new information about the project becomes available.

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- Historic Denver
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Sincerely,

Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager

cc: Kirk Webb, CDOT Region 6  
Chris Horn, FHWA

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Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9929  
(303) 757-9036 FAX



December 27, 2012

Mr. George Gause  
City and County of Denver  
Denver Planning Office  
201 West Colfax Ave.  
Denver, CO 80202

RE: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor Supplemental Draft East Environmental Impact Statement

Dear Mr. Gause:

On behalf of the Federal Highway Administration (FHWA), the Colorado Department of Transportation (CDOT) is requesting comments from the Colorado State Historic Preservation Officer (SHPO) and Section 106 consulting parties on a revised Area of Potential Effect for the I-70 East Corridor Draft Environmental Impact Statement (DEIS). CDOT and FHWA will publish the Supplemental DEIS in summer 2013. The Supplemental DEIS builds upon data previously analyzed in the Draft EIS for I-70 East, published in 2008. As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor and will determine potential effects to historic properties using updated designs for the alternatives studied in the 2008 DEIS and Supplemental DEIS. Properties constructed in 1965 or earlier will be evaluated for the purpose of the Supplemental DEIS. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS. It is understood, therefore, that the APE boundaries are subject to change as new information about the project becomes available.

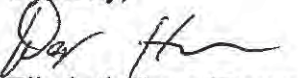
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- Historic Denver
- Colorado Preservation, Inc.
- Fairmount Heritage Foundation (representing Riverside Cemetery)

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Sincerely,

  
Elizabeth Kemp-Herrera

Region 6 Planning and Environmental Manager

cc: Kirk Webb, CDOT Region 6  
Chris Horn, FHWA

Attachments: Revised Area of Potential Effect map book  
Memo for File, Summary of Revised Area of Potential Effect, CDOT I-70 East EIS, December 26, 2012



## **MEMO FOR FILE**

From: Jen Wahlers, Dianna Litvak, Pinyon Environmental, Inc.  
To: Project File  
Project: CDOT I-70 East Environmental Impact Statement  
Subject: Summary of Revised Area of Potential Effect from January 2010 to October 2012  
Date: December 26, 2012

The following information describes how and why the Area of Potential Effect (APE) was changed in October and November 2012 for the Colorado Department of Transportation (CDOT) I-70 East Supplemental Draft Environmental Impact Statement (SDEIS).

The APE was revised to take into account changes in alternatives that will be studied in the SDEIS. The realignment alternative was eliminated from further consideration after new information gathered during the Preferred Alternative Collaboration Team (PACT) process showed the alternative was unreasonable and did not meet the purpose and need of the project. CDOT is studying a new alternative, the "Partial Cover Lowered" (PCL), in addition to the No Action Shift North, No Action Shift South, New Viaduct Shift North, and New Viaduct Shift South. The PCL and both viaduct alternatives include options of managed lanes or general purpose lanes. Therefore, the APE was refined to focus primarily on the current alignment of I-70, with the exception of the routing of a stormwater outfall system that would discharge into the South Platte River, and the construction of several water quality detention ponds along the current alignment. The APE is wider in the vicinity of the PCL and the viaduct alternatives to take into account any indirect effects that visual changes might have to the historic setting. East of the viaduct, the APE becomes narrower due to the lack of potentially eligible historic properties and because the visual impacts should be less significant. The APE also covers potential noise impacts and is consistent with the area studied for noise impacts. This includes areas where noise walls would be constructed along uncovered sections of I-70, which might also result in a visual effect for any eligible or listed historic properties or districts.

The descriptions are organized from west to east and the locations are numbered according to sections on the attached graphics. Instead of depicting each alternative on different aerials, the outermost construction limits of all of the alternatives was combined and has been represented as a light blue line on the aerials. In some locations, the outermost construction limits are outside of the APE; this occurs only in locations where no historic properties are present.

1. West of Brighton Boulevard: The original APE for the original Draft Environmental Impact Statement (DEIS) used the South Platte River as a western boundary as described in the I-70 East Cultural Resources Report (CDOT, 2007) and I-70 East Section 106 Determinations of Effect Report (CDOT, 2010). The

revised APE is graphically depicted on the new APE map as beginning just east of I-25. The project would include new striping on I-70 between I-25 and Brighton Boulevard to add general purpose lanes and/or tolled lanes, but no widening or new construction would occur on I-70 west of Brighton Boulevard.

2. North of I-70, East of Washington Street: The APE was revised because of the elimination of the realignment shift east and west along Brighton Boulevard. Instead, the APE in this area was moved south, eliminating some of the National Western Historic District (5DV10050), which is eligible for listing in the National Register of Historic Places (NRHP).
3. South of I-70, East of the South Platte River: The APE was moved north to McFarland Drive. The area south of McFarland Drive was eliminated because none of the alternatives would directly impact this area. The standard "one parcel out" approach to the APE was determined adequate because in this location the existing viaduct would remain in place and the only potential impacts would be from indirect effects to the National Western Historic District.
4. North of I-70, Claude Court, East 47<sup>th</sup> Avenue and Riverside Cemetery (5AM125): The APE was extended north in this area to account for proposed water-outfall plans north of I-70. A storm water outfall pipe would run beneath Claude Court within the existing street and right-of-way and would travel north/northwest, past Brighton Boulevard, southwest of Riverside Cemetery, and into the South Platte River. Parcels fronting Claude Court were not included in the APE because the pipe would run under the street, and it was not anticipated that any permanent or temporary easements would be required from any of these properties. Parcels north of 49<sup>th</sup> Avenue and west of York Street were included because of the proposed alignment of an outfall system through these parcels and on the southwest side of Riverside Cemetery. The outfalls would not pass through Riverside Cemetery on their way to the South Platte River. No other proposed work is planned that would impact Riverside Cemetery now that the realignment alternative has been eliminated from further consideration. However, it was included in the APE so that indirect impacts can be considered to the property, which is listed in the NRHP.
5. North of I-70, York Street and East 47<sup>th</sup> Avenue: The APE was moved to follow E. 47<sup>th</sup> Ave. at this location instead of following the parcel boundaries for the non-historic parcel north of 47<sup>th</sup> and east of York.
6. North of I-70, Josephine Street and East 47<sup>th</sup> Avenue: The APE was not modified here to follow parcel boundaries at this location due to the presence of eligible and potentially eligible properties north of 47<sup>th</sup> Ave. At Columbine, the APE was modified to the I-70 right-of-way because the Swansea Elementary School is not a historic property, and is therefore excluded from the revised APE.
7. South of I-70, Josephine Street and East 45<sup>th</sup> Avenue: At this point, the APE was modified because the alternative alignments were slightly modified. The team determined there was no reason for the parcels on the east side of York and the west side of Josephine Street, south of East 45<sup>th</sup> Avenue to be included in the APE. The only work proposed for York would be resurfacing, and does not consist of widening or other alignment changes. No work is proposed for Josephine Street. Two non-historic parcels were removed from the APE on the



southwest quadrant of the intersection of Josephine Street and East 44<sup>th</sup> Avenue and several properties on the west side of Josephine north of 44<sup>th</sup>. The APE was moved to York Street, next to the Purina building.

8. South of I-70, Columbine Street and East 45<sup>th</sup> Avenue: At Columbine Street, the APE was not modified. It followed parcel lines in the middle of the blocks because there are properties eligible to the NRHP that would potentially be subject to indirect effects from the viaduct shift south alternative. Additionally, there are several eligible parcels north of East 45<sup>th</sup> Avenue that were included in the APE to determine whether there are any indirect visual impacts from the viaduct south shift alternative.
9. North of I-70, east of Vasquez Boulevard: The APE was moved south here rather than cutting straight across East 48<sup>th</sup> Avenue for consistency. Any proposed impacts would travel through parcels that are not historic, so the APE was pulled in to the right-of-way.
10. South of I-70, Steele Street and East 45<sup>th</sup> Avenue: The APE was modified at Steele Street because there are no eligible or listed properties along Steele in this location. It was not modified between Adams and Cook because there are eligible properties south of 45<sup>th</sup> on these streets that would be subject to potential indirect effects.
11. South of I-70, East of Madison Street: The APE was moved up to the I-70 right-of-way because there are no eligible or listed properties south of 46<sup>th</sup> Avenue in this location. There would be no impacts south of East 46<sup>th</sup> Avenue at this location under any of the proposed alternatives, so there was no need for the APE to extend that far south. Improvements would stay within the right-of-way on the western edge of Colorado Boulevard, so the APE was pushed to the eastern edge of Colorado Boulevard before it shifts south to encompass the Safeway Distribution Center Historic District (5DV9232).
12. North of I-70, East of Colorado Boulevard, south of East 48<sup>th</sup> Avenue: The APE was brought down along East 46<sup>th</sup> Avenue and East Stapleton Drive because widening associated with the alternatives would taper east of Colorado Boulevard back down to the highway and frontage roads. There were also no parcels with eligible or listed properties in this area, so, in an effort to stay consistent with previous reasoning, this area was brought in to the right-of-way.
13. North of I-70, East of Dahlia Street: The APE was modified to the south to the intersection of Dahlia Street and Stapleton Drive (the frontage road) because no eligible or listed properties are located within this area. It continued along Stapleton Drive to the east.
14. South of I-70, East of Dahlia Street: The APE was brought north up Dahlia Street to East 46<sup>th</sup> Avenue because no resources south of East 46<sup>th</sup> Avenue meet historic age requirements; the area was therefore removed from the revised APE.
15. North of I-70, East of Forest Street: The APE was brought south to the frontage road (East Stapleton Drive) because no proposed impacts extend north and there are no eligible or listed properties within this area.
16. South of I-70, East of Forest Street: The revised APE follows the right-of-way of the East Stapleton Drive frontage road at this location with the exception of one NRHP-eligible property south of I-70, the Univar Building (5DV9231), which is included in the APE. The property is located on the southeast quadrant of the



Holly Street and Stapleton Drive intersection. East of Kearney Street, the APE follows the Stapleton Drive right-of-way because there are no eligible or listed properties east of Kearney Street.

17. North and South of I-70, East of Quebec Street: East of Quebec Street, all alternatives are expected to stay within existing right-of-way; the APE was therefore drawn to stay along right-of-way lines. The only historic properties east of Quebec on the I-70 alignment are as follows:

- a. Kansas Pacific/Union Pacific segment (5DV7048.2) which crosses I-70 near Havana.
- b. Highline Canal (5AM261.2) which crosses I-70 east of Tower Road. The proposed limits of work terminate on the west side of Tower Road. No work will take place on Tower Road.

The APE for these properties was not changed and consists of the highway ROW and existing interstate alignment.

Portions of historic districts and linear features are included in the APE boundary, including areas of these resources directly or indirectly affected by the project. Though the full extent of historic district boundaries or linear segments may not be included within the APE boundary, impacts to the character of these overall resources, in addition to those individual components directly affected by the project, will be assessed in the effects determination.

**References:**

CDOT, 2007. I-70 East EIS Cultural Resources Survey Report, December 2007  
CDOT, 2010. I-70 East EIS Section 106 Determinations of Effects, January 2010  
I-70 East Meeting Minutes, November 9, 2012 with Section 106 consulting parties

**Attachment I – Appendix B**  
**Correspondence from SHPO to CDOT,**  
**January 4, 2013**





January 4, 2013

Elizabeth Kemp-Herera  
Region 6 Planning and Environmental Manager  
Colorado Department of Transportation, Region 6  
2000 South Holly Street  
Denver, CO 80222

Re: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor  
Supplemental Draft Environmental Impact Statement. (CHS #41831)

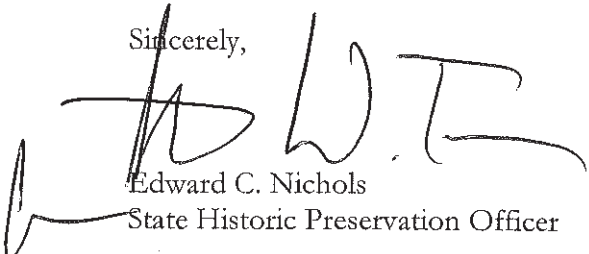
Dear Ms. Kemp-Herrera:

Thank you for your correspondence dated December 27, 2012 and received by our office on December 31, 2012 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the provided additional information, we do not object to the proposed Area of Potential Effects (APE) for the proposed project.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,



Edward C. Nichols  
State Historic Preservation Officer





**Attachment I – Appendix C**  
**Correspondence from Consulting**  
**Parties to CDOT Regarding the**  
**December 27, 2012 Letter**





January 17, 2013

Ashley L. Bushey  
Region 6 Senior Staff Historian  
CO Department of Transportation  
2000 South Holly Street  
Denver, Colorado 80222

Re: Consulting Party for I-70 East Corridor Supplemental DEIS

Dear Ms. Bushey:

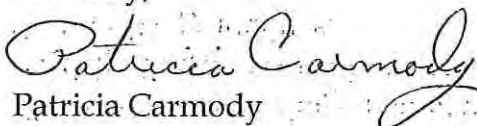
The Fairmount Heritage Foundation, representing Riverside Cemetery, is interested in participating as a consulting party for the I-70 East Corridor Supplemental DEIS under Section 106 guidelines.

Riverside Cemetery, founded in 1876, was designated a National Historic District in 1994 and reflects the ethnic diversity of Colorado's early settlers.

The Fairmount Heritage Foundation is a fully compliant 501(c)3, preservation and education organization, working in partnership with the Fairmount Cemetery Company and the community to preserve Riverside. Some of our current initiatives at Riverside include: the Riverside Revival, development of an environmentally sustainable landscape at Riverside; monument preservation, Riverside's collection of zinc monuments is the largest in North America; and free educational programs for schools that meet state educational standards.

My e-mail address is: [heritage@fairmountheritagefoundation.org](mailto:heritage@fairmountheritagefoundation.org) and my cell number is: 720-883-8177.

Sincerely,

  
Patricia Carmody

430 SOUTH QUEBEC STREET  
DENVER, COLORADO 80247  
303-322-3895  
[FAIRMOUNTHERITAGEFOUNDATION.ORG](http://FAIRMOUNTHERITAGEFOUNDATION.ORG)





Community Planning and Development  
Denver Landmark Preservation

201 West Colfax, Dept. 205  
Denver, CO 80202  
p: (720)-865-2709  
f: (720)-865-3050

[www.denvergov.org/preservation](http://www.denvergov.org/preservation)

E-Mail: [landmark@denvergov.org](mailto:landmark@denvergov.org)

January 18, 2013

Ashley L. Bushey  
State of Colorado; Department of Transportation  
Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222

Subject: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor  
Supplemental Draft East Environmental Impact Statement

Thank you for the opportunity to provide comments for the proposal.

We are providing comments based on our role as Certified Local Government (CLG) representative for Denver County, Colorado for compliance with Section 106 (36 CFR 800) of the National Historic Preservation Act and the National Environmental Policy Act (NEPA).

Our office concurs with the revised Area of Potential Effect.

Again, thank you for providing the information. If you need further information, please do not hesitate to contact our office.

Sincerely,

George Gause  
Landmark Preservation  
City & County of Denver Colorado



January 31, 2013

Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager  
Colorado Department of Transportation, Region 6  
2000 South Holly Street  
Denver, CO 80222

Re: Revised Area of Potential Effect for Historic Survey within the I-70 East Corridor  
Supplemental Draft Environmental Impact Statement.

Dear Ms. Kemp-Herrera:

We appreciate your correspondence dated December 27, 2012 containing additional information related to the proposed Area of Potential Effects (APE) for the proposed project referenced above. After reviewing this information, we see no objections with the adjusted APE.

Historic Denver, Inc. was founded in 1970 by citizens who were increasingly alarmed at the loss of the city's historic fabric due to urban renewal and insensitive development and has continued to develop programs to help protect Denver's most valuable cultural and architectural landmarks. Historic Denver is one of the leading urban preservation organizations in the country and as such, we look forward to continuing our role as a consulting party as the Section 106 process moves ahead.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. P. Olson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John P. Olson  
Director of Preservation Programs



**Attachment I – Appendix D**  
**Correspondence from CDOT to SHPO**  
**and Consulting Parties, October 24, 2013**





# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



October 24, 2013

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** APE Modification and Additional Eligibility Determinations, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Nichols:

This letter and the attached materials constitute a request for concurrence on changes to the Area of Potential Effects (APE) and eligibility determinations for five resources located within the modified APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The original APE for the Re-evaluation effort was submitted to your office on December 27, 2012 and concurred with in correspondence dated January 4, 2013. Since that time, work identified for the project alternatives in two areas has been altered, necessitating the expansion of the APE in these areas to reflect the changes.

### APE Alterations

The APE will remain the same as described in the correspondence dated December 27, 2012, with the exception of two areas expanded to reflect changes in the proposed work. Because of the potential need to realign a railroad line, an area on Gaylord Street between East 46<sup>th</sup> and East 47<sup>th</sup> Avenues was added to the APE. The APE was also expanded to include a portion of the Burlington Ditch/ O'Brien Canal near Riverside Cemetery to account for necessary storm-water outfall piping in to the ditch. Please reference the attached APE graphic for additional information.

### Survey Methodology

The expanded APE area along Gaylord Street contains four resources fifty-years of age or older that have not been previously surveyed. Each property was visited in the field and researched at the Denver Public Library Western History Collection. An OAHP 1403 form was completed for each property. A segment of the Burlington Ditch/ O'Brien Canal was also surveyed. A large segment of the ditch north of the proposed potential impacts was previously surveyed in 2009 (5AM465.9). Because of the proximity of the previously documented segment to the location of proposed potential impacts under the I-70 East Corridor project, ditch segment 5AM465.9 was extended south to Franklin Street and includes the portion of the ditch within the expanded APE. The ditch was documented on OAHP 1400 and 1418 forms.



**Eligibility Determinations**

**4691-4695 Gaylord Street (5DV11346):** This duplex residential property was constructed in 1959. It is not associated with events that have made a significant contribution to the broad pattern of our history nor is it part of an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it dates from the 1950s and is most closely associated with the ranch type, the building lacks the horizontal emphasis, window placement, porch/ patio space, attached garage/ carport, and integration into the landscape/ setting typically expressed in late ranch-type architecture. Ranch-type housing stock began to appear ca. 1940; as this resource was constructed in 1959, the building is not considered an early example of the ranch type and is not reflective of a transitional architectural period. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).

**4687 Gaylord Street (5DV11347):** This single-family residence was built in 1896. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or the lives of persons significant in our past, and therefore is not significant under Criteria A or B. In addition, it does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building has been so heavily modified that it no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. An incompatible porch has been added to the front façade and the house was covered in a non-sympathetic siding that has impacted the appearance of the building, integrity of materials, association with an architectural style, and therefore the ability to convey architectural significance. As a result, the resource is not significant under Criterion C. Lastly; the resource is not significant under Criterion D because it does not have the likelihood to reveal information in the future about history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**4677 Gaylord Street (5DV11348):** This single-family house was built in 1896 and has undergone several modifications. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or with the lives of persons significant in our past and therefore is not significant under Criteria A or B. The resource does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. There are two large additions to the building project to the west of the main portion of the house, and an addition on the north elevation. An incompatible, false-front feature has also been added to the front façade. The house has been covered in a non-sympathetic siding that has impacted the appearance of the building and its ability to convey any architectural significance. As a result, it is not significant under Criterion C. Finally; the resource is not significant under Criterion D because it does not have the potential to yield information important to history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**2200 East 47<sup>th</sup> Avenue (5DV11349):** This multi-family residential property was constructed in 1959 and is not associated with an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it is most closely associated with the ranch type, it lacks the elements common in ranch-type architecture, such as horizontal emphasis, window placement, porch/ patio space, an attached garage/ carport, and integration into the landscape/ setting. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).



**Burlington Ditch/ O'Brien Canal (5AM465.9):** The entire Burlington Ditch was determined Officially Eligible to the NRHP on February 26, 1988. It is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment, 13 various crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. Despite these alterations, the changes impact a small portion of the ditch and the recorded segment retains sufficient integrity to *support the eligibility* of the entire linear resource.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to the City of Denver Landmark Commission, Historic Denver, Colorado Preservation, Inc., and Fairmount Heritage Foundation, to invite comments as consulting parties for this project. If we receive any comments from them, we will forward them to you.

We herby request your agreement with the modified APE and concurrence with this determination of eligibility. Your response is necessary for the Federal Highway Administration's compliance with Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's regulations.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

*for* 

Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE Map of Modifications  
Site Forms (SDV11346, SDV11347, SDV11348, SDV11349, 5AM465.9)





# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



October 24, 2013

Ms. Patricia A. Carmody  
Fairmount Heritage Foundation  
430 S. Quebec St.  
Denver, CO 80247

**SUBJECT:** APE Modification and Additional Eligibility Determinations, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter and the attached materials constitute a request for comments on changes to the Area of Potential Effects (APE) and eligibility determinations for five resources located within the modified APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The original APE for the Re-evaluation effort was submitted to your office on December 27, 2012 and concurred with in correspondence dated January 4, 2013. Since that time, work identified for the project alternatives in two areas has been altered, necessitating the expansion of the APE in these areas to reflect the changes.

### APE Alterations

The APE will remain the same as described in the correspondence dated December 27, 2012, with the exception of two areas expanded to reflect changes in the proposed work. Because of the potential need to realign a railroad line, an area on Gaylord Street between East 46<sup>th</sup> and East 47<sup>th</sup> Avenues was added to the APE. The APE was also expanded to include a portion of the Burlington Ditch/ O'Brien Canal near Riverside Cemetery to account for necessary storm-water outfall piping in to the ditch. Please reference the attached APE graphic for additional information.

### Survey Methodology

The expanded APE area along Gaylord Street contains four resources fifty-years of age or older that have not been previously surveyed. Each property was visited in the field and researched at the Denver Public Library Western History Collection. An OAHP 1403 form was completed for each property. A segment of the Burlington Ditch/ O'Brien Canal was also surveyed. A large segment of the ditch north of the proposed potential impacts was previously surveyed in 2009 (5AM465.9). Because of the proximity of the previously documented segment to the location of proposed potential impacts under the I-70 East Corridor project, ditch segment 5AM465.9 was extended south to Franklin Street and includes the portion of the ditch within the expanded APE. The ditch was documented on OAHP 1400 and 1418 forms.



**Eligibility Determinations**

**4691-4695 Gaylord Street (5DV11346):** This duplex residential property was constructed in 1959. It is not associated with events that have made a significant contribution to the broad pattern of our history nor is it part of an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it dates from the 1950s and is most closely associated with the ranch type, the building lacks the horizontal emphasis, window placement, porch/ patio space, attached garage/ carport, and integration into the landscape/ setting typically expressed in late ranch-type architecture. Ranch-type housing stock began to appear ca. 1940; as this resource was constructed in 1959, the building is not considered an early example of the ranch type and is not reflective of a transitional architectural period. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).

**4687 Gaylord Street (5DV11347):** This single-family residence was built in 1896. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or the lives of persons significant in our past, and therefore is not significant under Criteria A or B. In addition, it does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building has been so heavily modified that it no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. An incompatible porch has been added to the front façade and the house was covered in a non-sympathetic siding that has impacted the appearance of the building, integrity of materials, association with an architectural style, and therefore the ability to convey architectural significance. As a result, the resource is not significant under Criterion C. Lastly; the resource is not significant under Criterion D because it does not have the likelihood to reveal information in the future about history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**4677 Gaylord Street (5DV11348):** This single-family house was built in 1896 and has undergone several modifications. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or with the lives of persons significant in our past and therefore is not significant under Criteria A or B. The resource does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. There are two large additions to the building project to the west of the main portion of the house, and an addition on the north elevation. An incompatible, false-front feature has also been added to the front façade. The house has been covered in a non-sympathetic siding that has impacted the appearance of the building and its ability to convey any architectural significance. As a result, it is not significant under Criterion C. Finally; the resource is not significant under Criterion D because it does not have the potential to yield information important to history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**2200 East 47<sup>th</sup> Avenue (5DV11349):** This multi-family residential property was constructed in 1959 and is not associated with an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it is most closely associated with the ranch type, it lacks the elements common in ranch-type architecture, such as horizontal emphasis, window placement, porch/ patio space, an attached garage/ carport, and integration into the landscape/ setting. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).




**Burlington Ditch/ O'Brien Canal (5AM465.9):** The entire Burlington Ditch was determined Officially Eligible to the NRHP on February 26, 1988. It is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment, 13 various crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. Despite these alterations, the changes impact a small portion of the ditch and the recorded segment retains sufficient integrity to *support the eligibility* of the entire linear resource.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to the Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

*for* 

Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE Map of Modifications  
Site Forms (5DV11346, 5DV11347, 5DV11348, 5DV11349, 5AM465.9)





# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



October 24, 2013

Ms. Jane Daniels, Director  
Colorado Preservation, Inc.  
1420 Ogden St., Suite 103  
Denver, CO 80218

**SUBJECT:** APE Modification and Additional Eligibility Determinations, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Daniels:

This letter and the attached materials constitute a request for comments on changes to the Area of Potential Effects (APE) and eligibility determinations for five resources located within the modified APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The original APE for the Re-evaluation effort was submitted to your office on December 27, 2012 and concurred with in correspondence dated January 4, 2013. Since that time, work identified for the project alternatives in two areas has been altered, necessitating the expansion of the APE in these areas to reflect the changes.

### APE Alterations

The APE will remain the same as described in the correspondence dated December 27, 2012, with the exception of two areas expanded to reflect changes in the proposed work. Because of the potential need to realign a railroad line, an area on Gaylord Street between East 46<sup>th</sup> and East 47<sup>th</sup> Avenues was added to the APE. The APE was also expanded to include a portion of the Burlington Ditch/ O'Brien Canal near Riverside Cemetery to account for necessary storm-water outfall piping in to the ditch. Please reference the attached APE graphic for additional information.

### Survey Methodology

The expanded APE area along Gaylord Street contains four resources fifty-years of age or older that have not been previously surveyed. Each property was visited in the field and researched at the Denver Public Library Western History Collection. An OAHP 1403 form was completed for each property. A segment of the Burlington Ditch/ O'Brien Canal was also surveyed. A large segment of the ditch north of the proposed potential impacts was previously surveyed in 2009 (5AM465.9). Because of the proximity of the previously documented segment to the location of proposed potential impacts under the I-70 East Corridor project, ditch segment 5AM465.9 was extended south to Franklin Street and includes the portion of the ditch within the expanded APE. The ditch was documented on OAHP 1400 and 1418 forms.



**Eligibility Determinations**

**4691-4695 Gaylord Street (5DV11346):** This duplex residential property was constructed in 1959. It is not associated with events that have made a significant contribution to the broad pattern of our history nor is it part of an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it dates from the 1950s and is most closely associated with the ranch type, the building lacks the horizontal emphasis, window placement, porch/ patio space, attached garage/ carport, and integration into the landscape/ setting typically expressed in late ranch-type architecture. Ranch-type housing stock began to appear ca. 1940; as this resource was constructed in 1959, the building is not considered an early example of the ranch type and is not reflective of a transitional architectural period. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).

**4687 Gaylord Street (5DV11347):** This single-family residence was built in 1896. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or the lives of persons significant in our past, and therefore is not significant under Criteria A or B. In addition, it does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building has been so heavily modified that it no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. An incompatible porch has been added to the front façade and the house was covered in a non-sympathetic siding that has impacted the appearance of the building, integrity of materials, association with an architectural style, and therefore the ability to convey architectural significance. As a result, the resource is not significant under Criterion C. Lastly; the resource is not significant under Criterion D because it does not have the likelihood to reveal information in the future about history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**4677 Gaylord Street (5DV11348):** This single-family house was built in 1896 and has undergone several modifications. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or with the lives of persons significant in our past and therefore is not significant under Criteria A or B. The resource does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. There are two large additions to the building project to the west of the main portion of the house, and an addition on the north elevation. An incompatible, false-front feature has also been added to the front façade. The house has been covered in a non-sympathetic siding that has impacted the appearance of the building and its ability to convey any architectural significance. As a result, it is not significant under Criterion C. Finally; the resource is not significant under Criterion D because it does not have the potential to yield information important to history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**2200 East 47<sup>th</sup> Avenue (5DV11349):** This multi-family residential property was constructed in 1959 and is not associated with an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it is most closely associated with the ranch type, it lacks the elements common in ranch-type architecture, such as horizontal emphasis, window placement, porch/ patio space, an attached garage/ carport, and integration into the landscape/ setting. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).

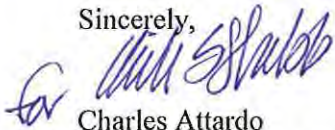


**Burlington Ditch/ O'Brien Canal (5AM465.9):** The entire Burlington Ditch was determined Officially Eligible to the NRHP on February 26, 1988. It is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment, 13 various crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. Despite these alterations, the changes impact a small portion of the ditch and the recorded segment retains sufficient integrity to *support the eligibility* of the entire linear resource.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to the Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Attardo", with a stylized "CA" monogram to the left.

Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE Map of Modifications  
Site Forms (5DV11346, 5DV11347, 5DV11348, 5DV11349, 5AM465.9)





# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



October 24, 2013

Ms. Savannah Jameson  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Av., Dept. 205  
Denver, CO 80202

**SUBJECT:** APE Modification and Additional Eligibility Determinations, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Jameson:

This letter and the attached materials constitute a request for comments on changes to the Area of Potential Effects (APE) and eligibility determinations for five resources located within the modified APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The original APE for the Re-evaluation effort was submitted to your office on December 27, 2012 and concurred with in correspondence dated January 4, 2013. Since that time, work identified for the project alternatives in two areas has been altered, necessitating the expansion of the APE in these areas to reflect the changes.

### **APE Alterations**

The APE will remain the same as described in the correspondence dated December 27, 2012, with the exception of two areas expanded to reflect changes in the proposed work. Because of the potential need to realign a railroad line, an area on Gaylord Street between East 46<sup>th</sup> and East 47<sup>th</sup> Avenues was added to the APE. The APE was also expanded to include a portion of the Burlington Ditch/ O'Brien Canal near Riverside Cemetery to account for necessary storm-water outfall piping in to the ditch. Please reference the attached APE graphic for additional information.

### **Survey Methodology**

The expanded APE area along Gaylord Street contains four resources fifty-years of age or older that have not been previously surveyed. Each property was visited in the field and researched at the Denver Public Library Western History Collection. An OAHP 1403 form was completed for each property. A segment of the Burlington Ditch/ O'Brien Canal was also surveyed. A large segment of the ditch north of the proposed potential impacts was previously surveyed in 2009 (5AM465.9). Because of the proximity of the previously documented segment to the location of proposed potential impacts under the I-70 East Corridor project, ditch segment 5AM465.9 was extended south to Franklin Street and includes the portion of the ditch within the expanded APE. The ditch was documented on OAHP 1400 and 1418 forms.



### **Eligibility Determinations**

**4691-4695 Gaylord Street (5DV11346):** This duplex residential property was constructed in 1959. It is not associated with events that have made a significant contribution to the broad pattern of our history nor is it part of an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it dates from the 1950s and is most closely associated with the ranch type, the building lacks the horizontal emphasis, window placement, porch/ patio space, attached garage/ carport, and integration into the landscape/ setting typically expressed in late ranch-type architecture. Ranch-type housing stock began to appear ca. 1940; as this resource was constructed in 1959, the building is not considered an early example of the ranch type and is not reflective of a transitional architectural period. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).

**4687 Gaylord Street (5DV11347):** This single-family residence was built in 1896. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or the lives of persons significant in our past, and therefore is not significant under Criteria A or B. In addition, it does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building has been so heavily modified that it no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. An incompatible porch has been added to the front façade and the house was covered in a non-sympathetic siding that has impacted the appearance of the building, integrity of materials, association with an architectural style, and therefore the ability to convey architectural significance. As a result, the resource is not significant under Criterion C. Lastly, the resource is not significant under Criterion D because it does not have the likelihood to reveal information in the future about history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**4677 Gaylord Street (5DV11348):** This single-family house was built in 1896 and has undergone several modifications. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or with the lives of persons significant in our past and therefore is not significant under Criteria A or B. The resource does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. There are two large additions to the building project to the west of the main portion of the house, and an addition on the north elevation. An incompatible, false-front feature has also been added to the front façade. The house has been covered in a non-sympathetic siding that has impacted the appearance of the building and its ability to convey any architectural significance. As a result, it is not significant under Criterion C. Finally, the resource is not significant under Criterion D because it does not have the potential to yield information important to history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**2200 East 47<sup>th</sup> Avenue (5DV11349):** This multi-family residential property was constructed in 1959 and is not associated with an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it is most closely associated with the ranch type, it lacks the elements common in ranch-type architecture, such as horizontal emphasis, window placement, porch/ patio space, an attached garage/ carport, and integration into the landscape/ setting. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).



**Burlington Ditch/ O'Brien Canal (5AM465.9):** The entire Burlington Ditch was determined Officially Eligible to the NRHP on February 26, 1988. It is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment, 13 various crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. Despite these alterations, the changes impact a small portion of the ditch and the recorded segment retains sufficient integrity to *support the eligibility* of the entire linear resource.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to the Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Attardo", is written over the word "Sincerely,". To the left of the signature is a small, stylized blue mark that looks like "for".

Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE Map of Modifications  
Site Forms (5DV11346, 5DV11347, 5DV11348, 5DV11349, 5AM465.9)





# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



October 24, 2013

Ms. Annie Levinsky, Director  
Historic Denver, Inc.  
1420 Ogden St., Suite 202  
Denver, CO 80218

**SUBJECT:** APE Modification and Additional Eligibility Determinations, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Levinsky:

This letter and the attached materials constitute a request for comments on changes to the Area of Potential Effects (APE) and eligibility determinations for five resources located within the modified APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The original APE for the Re-evaluation effort was submitted to your office on December 27, 2012 and concurred with in correspondence dated January 4, 2013. Since that time, work identified for the project alternatives in two areas has been altered, necessitating the expansion of the APE in these areas to reflect the changes.

### **APE Alterations**

The APE will remain the same as described in the correspondence dated December 27, 2012, with the exception of two areas expanded to reflect changes in the proposed work. Because of the potential need to realign a railroad line, an area on Gaylord Street between East 46<sup>th</sup> and East 47<sup>th</sup> Avenues was added to the APE. The APE was also expanded to include a portion of the Burlington Ditch/ O'Brien Canal near Riverside Cemetery to account for necessary storm-water outfall piping in to the ditch. Please reference the attached APE graphic for additional information.

### **Survey Methodology**

The expanded APE area along Gaylord Street contains four resources fifty-years of age or older that have not been previously surveyed. Each property was visited in the field and researched at the Denver Public Library Western History Collection. An OAHP 1403 form was completed for each property. A segment of the Burlington Ditch/ O'Brien Canal was also surveyed. A large segment of the ditch north of the proposed potential impacts was previously surveyed in 2009 (5AM465.9). Because of the proximity of the previously documented segment to the location of proposed potential impacts under the I-70 East Corridor project, ditch segment 5AM465.9 was extended south to Franklin Street and includes the portion of the ditch within the expanded APE. The ditch was documented on OAHP 1400 and 1418 forms.



### **Eligibility Determinations**

**4691-4695 Gaylord Street (5DV11346):** This duplex residential property was constructed in 1959. It is not associated with events that have made a significant contribution to the broad pattern of our history nor is it part of an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it dates from the 1950s and is most closely associated with the ranch type, the building lacks the horizontal emphasis, window placement, porch/ patio space, attached garage/ carport, and integration into the landscape/ setting typically expressed in late ranch-type architecture. Ranch-type housing stock began to appear ca. 1940; as this resource was constructed in 1959, the building is not considered an early example of the ranch type and is not reflective of a transitional architectural period. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).

**4687 Gaylord Street (5DV11347):** This single-family residence was built in 1896. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or the lives of persons significant in our past, and therefore is not significant under Criteria A or B. In addition, it does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building has been so heavily modified that it no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. An incompatible porch has been added to the front façade and the house was covered in a non-sympathetic siding that has impacted the appearance of the building, integrity of materials, association with an architectural style, and therefore the ability to convey architectural significance. As a result, the resource is not significant under Criterion C. Lastly; the resource is not significant under Criterion D because it does not have the likelihood to reveal information in the future about history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**4677 Gaylord Street (5DV11348):** This single-family house was built in 1896 and has undergone several modifications. The resource is not associated with events that have made a significant contribution to the broad pattern of our history or with the lives of persons significant in our past and therefore is not significant under Criteria A or B. The resource does not embody the characteristics of a type, period, or method of construction, or represent the work of a master. The building no longer portrays the characteristics typical of the ethnic, working-class neighborhood and buildings surrounding it. There are two large additions to the building project to the west of the main portion of the house, and an addition on the north elevation. An incompatible, false-front feature has also been added to the front façade. The house has been covered in a non-sympathetic siding that has impacted the appearance of the building and its ability to convey any architectural significance. As a result, it is not significant under Criterion C. Finally; the resource is not significant under Criterion D because it does not have the potential to yield information important to history or prehistory. Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

**2200 East 47<sup>th</sup> Avenue (5DV11349):** This multi-family residential property was constructed in 1959 and is not associated with an established community planning and development effort, such as a subdivision. Therefore it is not significant under Criterion A. Although it is most closely associated with the ranch type, it lacks the elements common in ranch-type architecture, such as horizontal emphasis, window placement, porch/ patio space, an attached garage/ carport, and integration into the landscape/ setting. Because the resource lacks stylistic associations and architectural character that would align it with the ranch building type, or other typology of the post-war housing boom, it is not significant under Criterion C. Because the resource lacks significance, CDOT has determined it is *not eligible* to the National Register of Historic Places (NRHP).



**Burlington Ditch/ O'Brien Canal (5AM465.9):** The entire Burlington Ditch was determined Officially Eligible to the NRHP on February 26, 1988. It is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment, 13 various crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. Despite these alterations, the changes impact a small portion of the ditch and the recorded segment retains sufficient integrity to *support the eligibility* of the entire linear resource.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to the Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

*for* 

Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE Map of Modifications  
Site Forms (5DV11346, 5DV11347, 5DV11348, 5DV11349, 5AM465.9)





**Attachment I – Appendix E**  
**Correspondence from SHPO to CDOT,**  
**November 7, 2013**





November 7, 2013

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: APE Modification and Additional Eligibility Determinations, Interstate 70 East Corridor Supplemental Draft Environmental Impact Statement Re-Evaluation, Denver and Adams Counties. (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated October 24, 2013 and received by our office on October 28, 2013 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the proposed modified Area of Potential Effects (APE). After review of the provided survey information, we concur with the recommended finding of not eligible for the National Register of Historic Places for the resources listed below.

- 5DV.11346
- 5DV.11347
- 5DV.11348
- 5DV.11349

We concur that segment 5AM.465.9 retains integrity and support the overall eligibility of the entire linear resource 5AM.465.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office. We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

  
Edward C. Nichols  
State Historic Preservation Officer





**Attachment I – Appendix F**  
**Correspondence from Consulting**  
**Parties to CDOT Regarding October 24,**  
**2013 Letter**





Community Planning and Development  
Denver Landmark Preservation

201 West Colfax, Dept. 205  
Denver, CO 80202  
p: (720)-865-2709  
f: (720)-865-3050

[www.denvergov.org/preservation](http://www.denvergov.org/preservation)

E-Mail: [landmark@denvergov.org](mailto:landmark@denvergov.org)

October 28, 2013

Ashley L. Bushey  
State of Colorado; Department of Transportation  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222

Subject: APE Modification and Additional Eligibility Determinations, Interstate 70 (I-70) East  
Corridor Supplemental Draft Environmental Impact Statement Re-evaluation (CHS #41831)

Thank you for the opportunity to provide comments for the proposal.

We are providing comments based on our role as Certified Local Government (CLG) representative for Denver County, Colorado for compliance with Section 106 (36 CFR 800) of the National Historic Preservation Act and the National Environmental Policy Act (NEPA).

Our office concurs with the Area of Potential Effect modifications.

Again, thank you for providing the information. If you need further information, please do not hesitate to contact our office.

Sincerely,

George Gause  
Landmark Preservation  
City & County of Denver Colorado





**Attachment I – Appendix G  
Correspondence from CDOT to SHPO  
and Consulting Parties, December 19,  
2013**



# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



December 19, 2013

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** APE Modification and Additional Eligibility Determination, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Nichols:

This letter and attached materials constitute a request for concurrence on modifications to the Area of Potential Effects (APE) and determination of eligibility for an additional resource located within the current APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The resource was not identified under previous survey work performed for the subject project as the property is recorded by the Denver County Assessor as vacant. Recent field review indicated the property contains three outbuildings, but no primary building such as a house. As one or more of the outbuildings contained on the property are likely to exceed 50 years of age, the property was evaluated for National Register of Historic Places (NRHP) eligibility.

### APE Modification

Most of the APE will remain the same as described in the previous correspondence dated October 28, 2013. Because of the need to alter stormwater outfall piping into the South Platte River, the APE was extended toward the southwest at the Globeville Landing Park. No additional historic or potentially historic resources were identified within the expanded boundary. Please reference the attached APE graphic for additional information.

### Eligibility Determinations

The following resource was recorded on OAHF Form 1403, but only key areas of the form were completed (Sections I, II, III, IV, VI, VII & VIII). The abridged site form is submitted to streamline determinations of eligibility for a property that demonstrates limited historic significance and diminished historical associations.

**4600 Elizabeth Street (5DV11362):** Historically, the subject parcel likely contained a residential building, which was demolished prior to 1993. The property currently contains three outbuildings: a garage and two sheds. The garage likely dates to ca. 1915, the frame shed may date to the 1940s or 1950s, and the metal shed likely dates to the 1970s or 1980s. The garage, which may have been constructed to compliment the style of the demolished residence, does not possess any distinctive characteristics indicating its association



with a particular building style and has been modified with replacement garage doors, a door, and boarded up windows.

With the absence of the associated residential building, the remaining outbuildings demonstrate limited historic connections, which have been further diminished through modifications. The property does not qualify for listing to the NRHP under any Criteria. Though the garage dates to the first part of the 20<sup>th</sup> century, the building does not demonstrate connections with events or themes in history (Criterion A), significant persons (Criterion B), or distinctive characteristics of type, period, or method of construction (Criterion C). Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

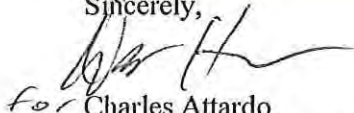
The Section 106 effects analysis for this resource will be included in the forthcoming effects report for the overall project, anticipated for submission in early 2014.

This additional Section 106 eligibility determination and APE modification is being forwarded concurrently to the project's consulting parties: The City of Denver Landmark Preservation Commission, Historic Denver Inc., Colorado Preservation, Inc., and the Fairmount Heritage Foundation, to invite comments. If we receive any comments from these parties, we will forward them to you.

We hereby request your concurrence with this determination of eligibility. Your response is necessary for the Federal Highway Administration's compliance with Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's regulations.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager

Ashley L. Bushey, CDOT Region 1 Historian

Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE map

Site Forms (5DV11362)

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



December 19, 2013

Ms. Jane Daniels, Director  
Colorado Preservation, Inc.  
1420 Ogden St., Suite 103  
Denver, CO 80218

**SUBJECT:** APE Modification and Additional Eligibility Determination, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Daniels:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE) and determination of eligibility for an additional resource located within the current APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The resource was not identified under previous survey work performed for the subject project as the property is recorded by the Denver County Assessor as vacant. Recent field review indicated the property contains three outbuildings, but no primary building such as a house. As one or more of the outbuildings contained on the property are likely to exceed 50 years of age, the property was evaluated for National Register of Historic Places (NRHP) eligibility.

### APE Modification

Most of the APE will remain the same as described in the previous correspondence dated October 28, 2013. Because of the need to alter stormwater outfall piping into the South Platte River, the APE was extended toward the southwest at the Globeville Landing Park. No additional historic or potentially historic resources were identified within the expanded boundary. Please reference the attached APE graphic for additional information.

### Eligibility Determinations

The following resource was recorded on OAHP Form 1403, but only key areas of the form were completed (Sections I, II, III, IV, VI, VII & VIII). The abridged site form is submitted to streamline determinations of eligibility for a property that demonstrates limited historic significance and diminished historical associations.

**4600 Elizabeth Street (SDV11362):** Historically, the subject parcel likely contained a residential building, which was demolished prior to 1993. The property currently contains three outbuildings: a garage and two sheds. The garage likely dates to ca. 1915, the frame shed may date to the 1940s or 1950s, and the metal shed likely dates to the 1970s or 1980s. The garage, which may have been constructed to compliment the style of the demolished residence, does not possess any distinctive characteristics indicating its association with a particular building style and has been modified with replacement garage doors, a door, and boarded up windows.



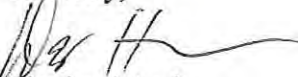
With the absence of the associated residential building, the remaining outbuildings demonstrate limited historic connections, which have been further diminished through modifications. The property does not qualify for listing to the NRHP under any Criteria. Though the garage dates to the first part of the 20<sup>th</sup> century, the building does not demonstrate connections with events or themes in history (Criterion A), significant persons (Criterion B), or distinctive characteristics of type, period, or method of construction (Criterion C). Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

The Section 106 effects analysis for this resource will be included in the forthcoming effects report for the overall project, anticipated for submission in early 2014.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
fo Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE map  
Site Forms (SDV11362)

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



December 19, 2013

Ms. Patricia A. Carmody  
Fairmount Heritage Foundation  
430 S. Quebec St.  
Denver, CO 80247

**SUBJECT:** APE Modification and Additional Eligibility Determination, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE) and determination of eligibility for an additional resource located within the current APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The resource was not identified under previous survey work performed for the subject project as the property is recorded by the Denver County Assessor as vacant. Recent field review indicated the property contains three outbuildings, but no primary building such as a house. As one or more of the outbuildings contained on the property are likely to exceed 50 years of age, the property was evaluated for National Register of Historic Places (NRHP) eligibility.

### APE Modification

Most of the APE will remain the same as described in the previous correspondence dated October 28, 2013. Because of the need to alter stormwater outfall piping into the South Platte River, the APE was extended toward the southwest at the Globeville Landing Park. No additional historic or potentially historic resources were identified within the expanded boundary. Please reference the attached APE graphic for additional information.

### Eligibility Determinations

The following resource was recorded on OAHP Form 1403, but only key areas of the form were completed (Sections I, II, III, IV, VI, VII & VIII). The abridged site form is submitted to streamline determinations of eligibility for a property that demonstrates limited historic significance and diminished historical associations.

**4600 Elizabeth Street (5DV11362):** Historically, the subject parcel likely contained a residential building, which was demolished prior to 1993. The property currently contains three outbuildings: a garage and two sheds. The garage likely dates to ca. 1915, the frame shed may date to the 1940s or 1950s, and the metal shed likely dates to the 1970s or 1980s. The garage, which may have been constructed to compliment the style of the demolished residence, does not possess any distinctive characteristics indicating its association with a particular building style and has been modified with replacement garage doors, a door, and boarded up windows.



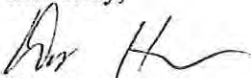
With the absence of the associated residential building, the remaining outbuildings demonstrate limited historic connections, which have been further diminished through modifications. The property does not qualify for listing to the NRHP under any Criteria. Though the garage dates to the first part of the 20<sup>th</sup> century, the building does not demonstrate connections with events or themes in history (Criterion A), significant persons (Criterion B), or distinctive characteristics of type, period, or method of construction (Criterion C). Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

The Section 106 effects analysis for this resource will be included in the forthcoming effects report for the overall project, anticipated for submission in early 2014.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
for Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager

Ashley L. Bushey, CDOT Region 1 Historian

Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE map

Site Forms (SDV11362)

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



December 19, 2013

Ms. Annie Levinsky, Director  
Historic Denver, Inc.  
1420 Ogden St., Suite 202  
Denver, CO 80218

**SUBJECT:** APE Modification and Additional Eligibility Determination, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Levinsky:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE) and determination of eligibility for an additional resource located within the current APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The resource was not identified under previous survey work performed for the subject project as the property is recorded by the Denver County Assessor as vacant. Recent field review indicated the property contains three outbuildings, but no primary building such as a house. As one or more of the outbuildings contained on the property are likely to exceed 50 years of age, the property was evaluated for National Register of Historic Places (NRHP) eligibility.

### APE Modification

Most of the APE will remain the same as described in the previous correspondence dated October 28, 2013. Because of the need to alter stormwater outfall piping into the South Platte River, the APE was extended toward the southwest at the Globeville Landing Park. No additional historic or potentially historic resources were identified within the expanded boundary. Please reference the attached APE graphic for additional information.

### Eligibility Determinations

The following resource was recorded on OAHP Form 1403, but only key areas of the form were completed (Sections I, II, III, IV, VI, VII & VIII). The abridged site form is submitted to streamline determinations of eligibility for a property that demonstrates limited historic significance and diminished historical associations.

**4600 Elizabeth Street (5DV11362):** Historically, the subject parcel likely contained a residential building, which was demolished prior to 1993. The property currently contains three outbuildings: a garage and two sheds. The garage likely dates to ca. 1915, the frame shed may date to the 1940s or 1950s, and the metal shed likely dates to the 1970s or 1980s. The garage, which may have been constructed to compliment the style of the demolished residence, does not possess any distinctive characteristics indicating its association with a particular building style and has been modified with replacement garage doors, a door, and boarded up windows.

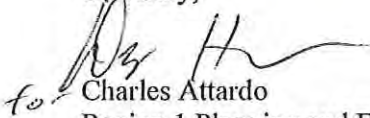
With the absence of the associated residential building, the remaining outbuildings demonstrate limited historic connections, which have been further diminished through modifications. The property does not qualify for listing to the NRHP under any Criteria. Though the garage dates to the first part of the 20<sup>th</sup> century, the building does not demonstrate connections with events or themes in history (Criterion A), significant persons (Criterion B), or distinctive characteristics of type, period, or method of construction (Criterion C). Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

The Section 106 effects analysis for this resource will be included in the forthcoming effects report for the overall project, anticipated for submission in early 2014.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE map  
Site Forms (SDV11362)



# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



December 19, 2013

Ms. Savannah Jameson  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave., Dept. 205  
Denver, CO 80202

**SUBJECT:** APE Modification and Additional Eligibility Determination, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Jameson:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE) and determination of eligibility for an additional resource located within the current APE for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The resource was not identified under previous survey work performed for the subject project as the property is recorded by the Denver County Assessor as vacant. Recent field review indicated the property contains three outbuildings, but no primary building such as a house. As one or more of the outbuildings contained on the property are likely to exceed 50 years of age, the property was evaluated for National Register of Historic Places (NRHP) eligibility.

### **APE Modification**

Most of the APE will remain the same as described in the previous correspondence dated October 28, 2013. Because of the need to alter stormwater outfall piping into the South Platte River, the APE was extended toward the southwest at the Globeville Landing Park. No additional historic or potentially historic resources were identified within the expanded boundary. Please reference the attached APE graphic for additional information.

### **Eligibility Determinations**

The following resource was recorded on OAHF Form 1403, but only key areas of the form were completed (Sections I, II, III, IV, VI, VII & VIII). The abridged site form is submitted to streamline determinations of eligibility for a property that demonstrates limited historic significance and diminished historical associations.

**4600 Elizabeth Street (5DV11362):** Historically, the subject parcel likely contained a residential building, which was demolished prior to 1993. The property currently contains three outbuildings: a garage and two sheds. The garage likely dates to ca. 1915, the frame shed may date to the 1940s or 1950s, and the metal shed likely dates to the 1970s or 1980s. The garage, which may have been constructed to compliment the style of the demolished residence, does not possess any distinctive characteristics indicating its association



with a particular building style and has been modified with replacement garage doors, a door, and boarded up windows.


With the absence of the associated residential building, the remaining outbuildings demonstrate limited historic connections, which have been further diminished through modifications. The property does not qualify for listing to the NRHP under any Criteria. Though the garage dates to the first part of the 20<sup>th</sup> century, the building does not demonstrate connections with events or themes in history (Criterion A), significant persons (Criterion B), or distinctive characteristics of type, period, or method of construction (Criterion C). Because the resource lacks significance, CDOT has determined it is *not eligible* to the NRHP.

The Section 106 effects analysis for this resource will be included in the forthcoming effects report for the overall project, anticipated for submission in early 2014.

The modified APE and the additional Section 106 eligibility determinations are also being forwarded to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



fcc Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:  
APE map  
Site Forms (SDV11362)

**Attachment I – Appendix H  
Correspondence from SHPO to CDOT,  
January 7, 2014**





## HISTORY *Colorado*

January 7, 2014

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: APE Modification and Additional Eligibility Determination, Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated and received on December 19, 2013 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided additional information, we have additional questions in regards to the proposed Area of Potential Effects (APE) modification. The letter states the APE must be modified to accommodate stormwater outfall work, but there is no narrative on how the modified geographic area could be affected by the project. Why is the modified APE drawn as it is in the area; what is the narrative justification? The letter also states that there are no additional historic or potentially historic resources in the expanded boundary. Was a cultural resources survey already completed? If so, was the history of the Globeville Landing Park considered in the cultural resource survey? Finally, were any other consulting parties beyond those identified in your letter considered for consultation on the APE modification?

After review of the provided survey information, we concur that resource 5DV.11362 is not eligible for the National Register of Historic Places.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

  
Edward C. Nichols  
State Historic Preservation Officer





**Attachment I – Appendix I**  
**Correspondence from CDOT to SHPO**  
**and Consulting Parties, January 30, 2014**



# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



January 30, 2014

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Request for Additional Information on APE Modification, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Nichols:

Thank you for your letter dated January 7, 2014, requesting additional explanation and justification of the area of potential effect (APE) modification for the project referenced above. The APE was modified to accommodate stormwater outfall piping into the South Platte River and was extended approximately 1,325 feet southwest of the original APE within the Globeville Landing park area. The original APE was irregularly shaped whereas the modified APE was drawn to more closely follow parcel-based lines and reflects the immediate footprint where the stormwater outfall piping will be constructed. Southwest of the Denver Coliseum parking area, the modified APE follows a portion of Arkins Court, encompasses Globeville Landing Park where the outfall piping will daylight into the South Platte River, and extends down to 38<sup>th</sup> Street. At that point, the modified APE follows the western bank of the South Platte River and continues north/ northeast to where it connects with the original APE.

The stormwater outfall would travel southwest from Interstate 70 and be located under the Coliseum parking lot and outfall into the South Platte River, adjacent to the existing railroad structure. A segment of the Delgany Common Interceptor Sewer (SDV4725.4) crosses underneath the proposed outfall. The proposed work will not touch the historic brick sewer at this location. The APE accounts for the direct impacts of the addition of the stormwater outfall pipe in this area. There are no potential indirect impacts as the pipes will be below the ground surface. The construction of this stormwater outfall piping will simply increase the amount of water discharged into the river. The initial correspondence of December 19, 2013 included a second outfall (Southern Outfall), located south of the outfall described above, on the APE graphic. Since that letter was sent, the southern outfall option at Globeville Landing Park has been eliminated from consideration. Please reference the attached APE graphic for additional information.

The APE was only expanded beyond the original APE to include the Globeville Landing Park which includes a portion of the Delgany Common Interceptor Sewer (SDV4725). The Delgany Common Interceptor Sewer was previously included in list of resources within the project APE and is identified in correspondence with your office dated August 27, 2013. At that time, the Delgany Common Interceptor Sewer segment within the APE was incorrectly labeled as segment SDV4725.5. This was a typographic error and the correct segment should be SDV4725.4, which was determined officially eligible in 2012 as a



Mr. Nichols  
January 30, 2014  
Page 2

part of the *Denver's Brick Sewers* Historic Context. The correct segment of the Delgany Common Interceptor Sewer (5DV4725.4) will be included in the effects determinations for this project.

Background research of Globeville Landing Park indicated that the park was built during the first phase of the Platte River Development Committee's efforts, which began in 1974, to clean up the river and create a hiking and bicycle network along it. The park was chosen to demonstrate that the effort was committed to reaching diverse areas of Denver. Prior to its formal construction and designation as a park, it served as a landfill and during the park construction; rubble from the surrounding area was brought in as fill. Because the park was not created until the 1970s and there is no evidence of the landfill that previously occupied the site, it is not considered an historic resource.

The modified APE information was not sent to any other consulting groups other than those listed in our original correspondence.

If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



to - Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:  
APE map

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



January 30, 2014

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave., Dept. 205  
Denver, CO 80202

**SUBJECT:** Request for Additional Information on APE Modification, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Gause:

Consultation for the subject project was initiated by letters dated December 19, 2013. Since that date, the State Historic Preservation Office (SHPO) requested additional details regarding the APE modification, and changes in the project necessitated additional adjustments to the APE. This letter includes an explanation of those modifications.

The APE was modified to accommodate stormwater outfall piping into the South Platte River and was extended approximately 1,325 feet southwest of the original APE within the Globeville Landing park area. The original APE was irregularly shaped whereas the modified APE was drawn to more closely follow parcel-based lines and reflects the immediate footprint where the stormwater outfall piping will be constructed. Southwest of the Denver Coliseum parking area, the modified APE follows a portion of Arkins Court, encompasses Globeville Landing Park where the outfall piping will daylight into the South Platte River, and extends down to 38<sup>th</sup> Street. At that point, the modified APE follows the western bank of the South Platte River and continues north/ northeast to where it connects with the original APE.

The stormwater outfall would travel southwest from Interstate 70 and be located under the Coliseum parking lot and outfall into the South Platte River, adjacent to the existing railroad structure. A segment of the Delgany Common Interceptor Sewer (SDV4725.4) crosses underneath the proposed outfall. The proposed work will not touch the historic brick sewer at this location. The APE accounts for the direct impacts of the addition of the stormwater outfall pipe in this area. There are no potential indirect impacts as the pipes will be below the ground surface. The construction of this stormwater outfall piping will simply increase the amount of water discharged into the river. The initial correspondence of December 19, 2013 included a second outfall (Southern Outfall), located south of the outfall described above, on the APE graphic. Since that letter was sent, the southern outfall option at Globeville Landing Park has been eliminated from consideration. Please reference the attached APE graphic for additional information.

The APE was only expanded beyond the original APE to include the Globeville Landing Park which includes a portion of the Delgany Common Interceptor Sewer (SDV4725). The Delgany Common Interceptor Sewer was previously included in list of resources within the project APE and is identified in



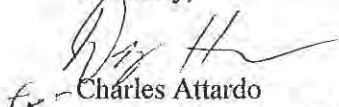
correspondence with your office dated August 27, 2013. At that time, the Delgany Common Interceptor Sewer segment within the APE was incorrectly labeled as segment 5DV4725.5. This was a typographic error and the correct segment should be 5DV4725.4, which was determined officially eligible in 2012 as a part of the *Denver's Brick Sewers* Historic Context. The correct segment of the Delgany Common Interceptor Sewer (5DV4725.4) will be included in the effects determinations for this project.

Background research of Globeville Landing Park indicated that the park was built during the first phase of the Platte River Development Committee's efforts, which began in 1974, to clean up the river and create a hiking and bicycle network along it. The park was chosen to demonstrate that the effort was committed to reaching diverse areas of Denver. Prior to its formal construction and designation as a park, it served as a landfill and during the park construction; rubble from the surrounding area was brought in as fill. Because the park was not created until the 1970s and there is no evidence of the landfill that previously occupied the site, it is not considered an historic resource.

The modified APE information was not sent to any other consulting groups other than those listed in our original correspondence.

As a local government with an interest in this undertaking, we welcome your comments on the above-described APE modifications. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:  
APE map

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



January 30, 2014

Ms. Jane Daniels, Executive Director  
Colorado Preservation, Inc.  
1420 Ogden St., Suite 103  
Denver, CO 80218

**SUBJECT:** Request for Additional Information on APE Modification, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Daniels:

Consultation for the subject project was initiated by letters dated December 19, 2013. Since that date, the State Historic Preservation Office (SHPO) requested additional details regarding the APE modification, and changes in the project necessitated additional adjustments to the APE. This letter includes an explanation of those modifications.

The APE was modified to accommodate stormwater outfall piping into the South Platte River and was extended approximately 1,325 feet southwest of the original APE within the Globeville Landing park area. The original APE was irregularly shaped whereas the modified APE was drawn to more closely follow parcel-based lines and reflects the immediate footprint where the stormwater outfall piping will be constructed. Southwest of the Denver Coliseum parking area, the modified APE follows a portion of Arkins Court, encompasses Globeville Landing Park where the outfall piping will daylight into the South Platte River, and extends down to 38<sup>th</sup> Street. At that point, the modified APE follows the western bank of the South Platte River and continues north/ northeast to where it connects with the original APE.

The stormwater outfall would travel southwest from Interstate 70 and be located under the Coliseum parking lot and outfall into the South Platte River, adjacent to the existing railroad structure. A segment of the Delgany Common Interceptor Sewer (SDV4725.4) crosses underneath the proposed outfall. The proposed work will not touch the historic brick sewer at this location. The APE accounts for the direct impacts of the addition of the stormwater outfall pipe in this area. There are no potential indirect impacts as the pipes will be below the ground surface. The construction of this stormwater outfall piping will simply increase the amount of water discharged into the river. The initial correspondence of December 19, 2013 included a second outfall (Southern Outfall), located south of the outfall described above, on the APE graphic. Since that letter was sent, the southern outfall option at Globeville Landing Park has been eliminated from consideration. Please reference the attached APE graphic for additional information.

The APE was only expanded beyond the original APE to include the Globeville Landing Park which includes a portion of the Delgany Common Interceptor Sewer (SDV4725). The Delgany Common Interceptor Sewer was previously included in list of resources within the project APE and is identified in correspondence with your office dated August 27, 2013. At that time, the Delgany Common Interceptor



Ms. Daniels  
January 30, 2014  
Page 2

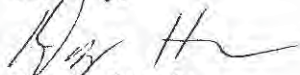
Sewer segment within the APE was incorrectly labeled as segment 5DV4725.5. This was a typographic error and the correct segment should be 5DV4725.4, which was determined officially eligible in 2012 as a part of the *Denver's Brick Sewers* Historic Context. The correct segment of the Delgany Common Interceptor Sewer (5DV4725.4) will be included in the effects determinations for this project.

Background research of Globeville Landing Park indicated that the park was built during the first phase of the Platte River Development Committee's efforts, which began in 1974, to clean up the river and create a hiking and bicycle network along it. The park was chosen to demonstrate that the effort was committed to reaching diverse areas of Denver. Prior to its formal construction and designation as a park, it served as a landfill and during the park construction; rubble from the surrounding area was brought in as fill. Because the park was not created until the 1970s and there is no evidence of the landfill that previously occupied the site, it is not considered an historic resource.

The modified APE information was not sent to any other consulting groups other than those listed in our original correspondence.

As a local organization with an interest in this undertaking, we welcome your comments on the above-described APE modifications. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



to - Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:  
APE map



# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



January 30, 2014

Ms. Patricia Carmody  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Request for Additional Information on APE Modification, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody:

Consultation for the subject project was initiated by letters dated December 19, 2013. Since that date, the State Historic Preservation Office (SHPO) requested additional details regarding the APE modification, and changes in the project necessitated additional adjustments to the APE. This letter includes an explanation of those modifications.

The APE was modified to accommodate stormwater outfall piping into the South Platte River and was extended approximately 1,325 feet southwest of the original APE within the Globeville Landing park area. The original APE was irregularly shaped whereas the modified APE was drawn to more closely follow parcel-based lines and reflects the immediate footprint where the stormwater outfall piping will be constructed. Southwest of the Denver Coliseum parking area, the modified APE follows a portion of Arkins Court, encompasses Globeville Landing Park where the outfall piping will daylight into the South Platte River, and extends down to 38<sup>th</sup> Street. At that point, the modified APE follows the western bank of the South Platte River and continues north/ northeast to where it connects with the original APE.

The stormwater outfall would travel southwest from Interstate 70 and be located under the Coliseum parking lot and outfall into the South Platte River, adjacent to the existing railroad structure. A segment of the Delgany Common Interceptor Sewer (SDV4725.4) crosses underneath the proposed outfall. The proposed work will not touch the historic brick sewer at this location. The APE accounts for the direct impacts of the addition of the stormwater outfall pipe in this area. There are no potential indirect impacts as the pipes will be below the ground surface. The construction of this stormwater outfall piping will simply increase the amount of water discharged into the river. The initial correspondence of December 19, 2013 included a second outfall (Southern Outfall), located south of the outfall described above, on the APE graphic. Since that letter was sent, the southern outfall option at Globeville Landing Park has been eliminated from consideration. Please reference the attached APE graphic for additional information.

The APE was only expanded beyond the original APE to include the Globeville Landing Park which includes a portion of the Delgany Common Interceptor Sewer (SDV4725). The Delgany Common Interceptor Sewer was previously included in list of resources within the project APE and is identified in correspondence with your office dated August 27, 2013. At that time, the Delgany Common Interceptor



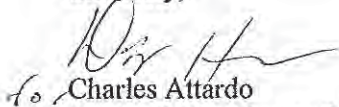
Sewer segment within the APE was incorrectly labeled as segment 5DV4725.5. This was a typographic error and the correct segment should be 5DV4725.4, which was determined officially eligible in 2012 as a part of the *Denver's Brick Sewers* Historic Context. The correct segment of the Delgany Common Interceptor Sewer (5DV4725.4) will be included in the effects determinations for this project.

Background research of Globeville Landing Park indicated that the park was built during the first phase of the Platte River Development Committee's efforts, which began in 1974, to clean up the river and create a hiking and bicycle network along it. The park was chosen to demonstrate that the effort was committed to reaching diverse areas of Denver. Prior to its formal construction and designation as a park, it served as a landfill and during the park construction; rubble from the surrounding area was brought in as fill. Because the park was not created until the 1970s and there is no evidence of the landfill that previously occupied the site, it is not considered an historic resource.

The modified APE information was not sent to any other consulting groups other than those listed in our original correspondence.

As a local organization with an interest in this undertaking, we welcome your comments on the above-described APE modifications. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE map



# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



January 30, 2014

Ms. Annie Levinsky, Director  
Historic Denver, Inc.  
1420 Ogden St., Suite 202  
Denver, CO 80218

**SUBJECT:** Request for Additional Information on APE Modification, Interstate 70 (I-70)  
East Corridor Supplemental Draft Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Levinsky:

Consultation for the subject project was initiated by letters dated December 19, 2013. Since that date, the State Historic Preservation Office (SHPO) requested additional details regarding the APE modification, and changes in the project necessitated additional adjustments to the APE. This letter includes an explanation of those modifications.

The APE was modified to accommodate stormwater outfall piping into the South Platte River and was extended approximately 1,325 feet southwest of the original APE within the Globeville Landing park area. The original APE was irregularly shaped whereas the modified APE was drawn to more closely follow parcel-based lines and reflects the immediate footprint where the stormwater outfall piping will be constructed. Southwest of the Denver Coliseum parking area, the modified APE follows a portion of Arkins Court, encompasses Globeville Landing Park where the outfall piping will daylight into the South Platte River, and extends down to 38<sup>th</sup> Street. At that point, the modified APE follows the western bank of the South Platte River and continues north/ northeast to where it connects with the original APE.

The stormwater outfall would travel southwest from Interstate 70 and be located under the Coliseum parking lot and outfall into the South Platte River, adjacent to the existing railroad structure. A segment of the Delgany Common Interceptor Sewer (5DV4725.4) crosses underneath the proposed outfall. The proposed work will not touch the historic brick sewer at this location. The APE accounts for the direct impacts of the addition of the stormwater outfall pipe in this area. There are no potential indirect impacts as the pipes will be below the ground surface. The construction of this stormwater outfall piping will simply increase the amount of water discharged into the river. The initial correspondence of December 19, 2013 included a second outfall (Southern Outfall), located south of the outfall described above, on the APE graphic. Since that letter was sent, the southern outfall option at Globeville Landing Park has been eliminated from consideration. Please reference the attached APE graphic for additional information.

The APE was only expanded beyond the original APE to include the Globeville Landing Park which includes a portion of the Delgany Common Interceptor Sewer (5DV4725). The Delgany Common Interceptor Sewer was previously included in list of resources within the project APE and is identified in correspondence with your office dated August 27, 2013. At that time, the Delgany Common Interceptor



Sewer segment within the APE was incorrectly labeled as segment 5DV4725.5. This was a typographic error and the correct segment should be 5DV4725.4, which was determined officially eligible in 2012 as a part of the *Denver's Brick Sewers* Historic Context. The correct segment of the Delgany Common Interceptor Sewer (5DV4725.4) will be included in the effects determinations for this project.

Background research of Globeville Landing Park indicated that the park was built during the first phase of the Platte River Development Committee's efforts, which began in 1974, to clean up the river and create a hiking and bicycle network along it. The park was chosen to demonstrate that the effort was committed to reaching diverse areas of Denver. Prior to its formal construction and designation as a park, it served as a landfill and during the park construction; rubble from the surrounding area was brought in as fill. Because the park was not created until the 1970s and there is no evidence of the landfill that previously occupied the site, it is not considered an historic resource.

The modified APE information was not sent to any other consulting groups other than those listed in our original correspondence.

As a local organization with an interest in this undertaking, we welcome your comments on the above-described APE modifications. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
for Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Kirk Webb, CDOT Region 1 Project Manager

Ashley L. Bushey, CDOT Region 1 Historian

Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

APE map

**Attachment I – Appendix J**  
**Correspondence from SHPO to CDOT,**  
**February 14, 2014**





February 14, 2014

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

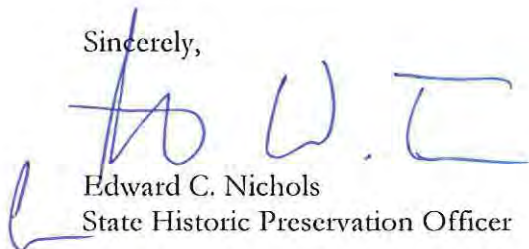
Re: APE Modification, Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated January 30, 2014 and received on February 3, 2014 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the provided additional information, we do not object to the proposed APE modification as presented in your correspondence.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,



Edward C. Nichols  
State Historic Preservation Officer





**Attachment I – Appendix K  
Correspondence from Consulting  
Parties to CDOT Regarding January 30,  
2014 Letter**





STATE OF  
COLORADO

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## Interstate 70 East Corridor Supplemental Draft EIS re-evaluation APE modification

February 11, 2014

Gause, George - Community Planning and Development

<George.Gause@denvergov.org>

To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Tue, Feb 11, 2014 at 11:03 AM

Ashley,

Denver Landmark has no comments on the modification.

George



**George Gause | Sr. Planner-Landmark Preservation**

Community Planning & Development | City and County of Denver

720.865.2929 Phone | [george.gause@denvergov.org](mailto:george.gause@denvergov.org)

[DenverGov.org/CPD](http://DenverGov.org/CPD) | [@DenverCPD](https://twitter.com/DenverCPD) | Take our Survey Sign up for e-news

Denver is updating its landmark design guidelines! [Learn more at our website](#)

Comments and correspondence concerning proposals or applications are based on information received by the requestor and a comparison of that information and the Secretary of the Interior's Standards, Design Guidelines for Landmark Structures and Districts, Landmark Preservation Ordinance, Chapter 30 Revised Municipal Code and other applicable adopted guidelines. Staff is providing these comments for informal informational purposes only. These comments do not replace the formal design review process. More specific answers to a proposal can only be given after full review of the required documentation is accomplished. Landmark staff is not responsible for building or zoning review. Please submit plans to those agencies for comment.

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STATE OF  
COLORADO

## I-70 APE Modification (East Corridor)

Rachel Parris <rparris@coloradopreservation.org>

Thu, Feb 13, 2014 at 10:44 AM

To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

CPI has no comment ☺

### Rachel Parris

Programs Manager

Colorado Preservation, Inc.

(303) 893-4260 x236

Emerson School

1420 Ogden Street, Suite 104

Denver, Colorado 80218

Become a member today and help us build a future with historic places!



**Attachment I – Appendix L**  
**Correspondence from CDOT to SHPO**  
**and Consulting Parties, April 26, 2013**



# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



April 26, 2013

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Eligibility Determinations, I-70 East Corridor Supplemental Draft Environmental  
Impact Statement Re-evaluation, Denver County and Adams County (CHS  
#41831)

Dear Mr. Nichols:

This letter and attached documents constitute a request for concurrence on Determinations of National Register of Historic Places (NRHP) and State Register of Historic Places (SRHP) Eligibility for the project referenced above. The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The intent of the EIS is to identify potential highway improvements along Interstate 70 (I-70) in the Denver metropolitan area between Interstate 25 (I-25) and Tower Road and to assess their potential effects on the human and natural environment.

Analysis began in June 2003 as part of the I-70 East Corridor EIS. A Draft EIS was published in November of 2008. As of a consultation meeting held March 2, 2009, CDOT decided to conduct the Section 106 consultation independently of the NEPA process. This decision was outlined in the determinations of eligibility published in January 2010. Since more than four years have passed since the 2008 Draft EIS was initially published, many federal and state regulations and requirements have changed. Additional analysis and public involvement efforts were performed to determine the validity of the alternatives that were considered reasonable alternatives in the Draft EIS. Based on public comments, the additional analysis, and the collaborative process brought about by the Preferred Alternative Collaborative Team (PACT), the project team determined that the Realignment Alternatives are no longer reasonable. Consequently, a new alternative option was designed to address the public concerns and incorporate their comments. Due to the changes in the alternatives, outdated census data, and new federal and state laws and regulations, the analysis in the 2008 Draft EIS was revisited and CDOT and FHWA will publish a Supplemental Draft EIS in summer 2013.

As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor as well as evaluating those properties constructed in 1965 or earlier that were not previously surveyed. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS.



The potential effects to historic properties will be evaluated using updated designs for the alternatives studied in the 2008 DIES and Supplemental Draft EIS. This correspondence only relates to eligibility determinations. Correspondence relating to effects determinations will be provided at a later date. Dianna Litvak, Jennifer Wahlers, and Liz Walker of Pinyon Environmental, Inc. (Pinyon), completed the cultural resources documentation and eligibility determinations in 2012-2013.

### **Project Description**

Currently, I-70 between I-25 and Tower Road is one of the most congested and heavily traveled highway corridors in the state. The purpose of the project is to implement a transportation solution that improves safety, access, and mobility and addresses congestion on I-70. In addition, the I-70 viaduct is nearing the end of its expected lifetime. CDOT recently finished repairs on the viaduct, but the repairs will only extend the life of the structure by 15 to 20 years. After that, any major repairs on the structure will be cost prohibitive; therefore, it is critical to make a decision on replacing the structure to address safety issues and future traffic demand.

### **Area of Potential Effects**

A revised Area of Potential Effects (APE) was submitted to the State Historic Preservation Officer (SHPO) in correspondence dated December 27, 2012. In a response dated January 4, 2013, SHPO concurred with the recommended APE. Responses were also received from Historic Denver Inc., Denver Landmark Preservation, and Fairmount Heritage Foundation, in the capacity of consulting parties. No concerns or objections were raised by these consulting parties.

### **File and Assessor's Search Results**

Jen Wahlers and Liz Walker completed COMPASS and assessor searches of the revised APE. The COMPASS search identified:

- 117 resources noted as officially individually eligible, supporting segments of a linear resource, or contributing to an historic district located within the APE. These resources were surveyed as part of the original Draft EIS. Upon review of project correspondence with SHPO connected to the Draft EIS, it was found that several of the resources listed as eligible or contributing in COMPASS were actually determined officially not eligible per correspondence dated September 19, 2007.
- Three resources noted as "needs data" or lacking an official determination. Upon further review of the September 19, 2007, correspondence with SHPO, two of these resources were determined officially not eligible but were incorrectly entered into COMPASS. Only one of these resources (5DV9468) was actually "needs data."
- Three resources were entered in COMPASS as officially not eligible when in fact they were determined officially eligible per the same SHPO correspondence.
- Four districts that were previously identified in the APE and determined officially eligible: the National Western District (5DV10050), the Safeway Distribution Center (5DV9232), the Alfred R. Wessel Historic District (5DV10126), and Riverside Cemetery (5AM125).
- Six previously surveyed linear resources were located in the revised APE.

The resources with conflicting COMPASS entries are listed in the table below (Table 1).

**Table 1: Inaccurate COMPASS Entries**

Site Number	Resource Name	COMPASS Eligibility Listing	Actual Eligibility Determination per SHPO correspondence dated 9/19/07
5DV9676	Pasillas Residence	Eligible- Officially	Not Eligible
5DV9687	Ortiz/Lucas Residence	Needs-Data Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV9699	Limon Residence	Eligible-Officially	Not Eligible
5DV9712	Foiani Residence	Eligible- Officially	Not Eligible
5DV9715	Torres Residence	Eligible-Officially	Not Eligible
5DV9721	Valles Residence	Eligible- Officially	Not Eligible
5DV9757	Quinonez Residence	Eligible-Officially	Not Eligible
5DV9763	Jaszczyk Residence	Eligible- Officially	Not Eligible
5DV9781	Mirelez Residence	Eligible- Officially	Not Eligible
5DV9966	Yoshimura Residence	Not Eligible- Officially	Eligible
5DV10023	Almendariz/Rayburn Residence	Needs Data- Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV10040	Garcia Residence	Not Eligible- Officially	Eligible
5DV10065	Lopez/Hartzell Residence	Not Eligible- Officially	Eligible
5DV10086	WG Pigg & Son Warehouse	Needs Data- Officially	Not Eligible

The Assessor's search identified three properties that were over fifty-years old during the original I-70 East EIS study, but were inadvertently excluded from the previous survey. It also indicated one property with a building that was constructed between 1963 and 1965, and therefore not surveyed in the original survey effort but falling within the age range for study under the current Supplemental Draft EIS.

#### **Methodology**

Historians from Pinyon completed OAHP standard Re-visitation Forms (1405) for all resources identified in the previous survey effort and determined officially eligible or contributing to an historic district, and located within the current APE. Those resources that were incorrectly entered in COMPASS and were actually determined officially not eligible or non-contributing were not re-evaluated. After conversations with SHPO, it was determined that some of the earlier site numbers were incorrect, or the original survey forms were incomplete. Full Architectural Inventory Forms (1403) were completed for those resources when requested and the discrepancy in site numbers is noted on the new form. Full Architectural Inventory Forms were also completed for those resources that were missed during the previous survey effort, and the one property that dates between 1965 and 1963.

Under the previous survey effort, buildings within the Safeway Distribution Center Historic District (5DV9232) were recorded as separate resources with distinct site numbers. When entered into COMPASS, SHPO chose to discard the individual site numbers for each resource and record them all as features under one site number- 5DV9232. The re-visitation form completed under this survey effort followed the organization established by SHPO, using 5DV9232 and labeling all buildings within the resource boundary as features.

Two of the boundaries for the previously surveyed linear resources were augmented under this survey effort because of a slight change to the APE boundary. For those resources, which include the Union Pacific Beltline Railroad Segment (5AM2083.1) and the Chicago Burlington & Quincy Segment (5DV6247.3), full Management Data Forms (1400) and Linear Component Forms (1418) were completed to record the additional length. Although the Highline Canal is in the current APE, the proposed alternatives will have no impacts to the canal, either directly or indirectly; therefore, a re-visitation form for the resource was not completed and it is not included in this consultation.

Twenty-three bridges are located within the APE. Only 12 of those structures were built in 1965 or earlier, and only one bridge is not covered by the Section 106 Exemption for the Interstate Highway System. TranSystems completed Historic Bridge Site Forms under the latest CDOT Historic Bridge Inventory project for the bridge that requires an official eligibility determination, E-17-Z (5DV7062), which has been recommended as field not eligible. Consultation on this bridge has not yet occurred as part of that effort. The form is being submitted to obtain an official eligibility determination.

In total, 121 resources were surveyed as part of the Supplemental Draft EIS Re-evaluation effort.

#### **Eligibility Determinations for Properties Surveyed**

Tables 2, 3 and 4 summarize the eligibility recommendations for the resources re-evaluated as part of the Supplemental Draft EIS.

**Table 2: Eligibility Determinations**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5AM125	5201 Brighton Blvd.	Riverside Cemetery	Listed	Listed
5AM1298.2	N/A	Market Street Railroad/Chicago Burlington & Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5AM2083.1	N/A	Union Pacific Beltline Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV1172	4673 Josephine St.	Hovan/Pazola Residence	Eligible	Eligible
5DV1247	4681-4683 Baldwin Ct.	Kosik Residence	Eligible	Eligible
5DV5623	4696 Josephine St.	Lovato Residence	Eligible	Eligible
5DV5677	4632 Josephine St	Miranda/Taylor Residence	Eligible	Eligible
5DV6247.3	N/A	Chicago, Burlington and Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV6248.4	N/A	Union Pacific Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7048.2	N/A	Rocky Mountain Arsenal Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7062	N/A	UPRR Bridge over 46 <sup>th</sup> Ave. E-17-Z	Field Not Eligible	Not Eligible
5DV7130	2615 East 46th Ave.	Colonial Manor Tourist Court	Eligible	Eligible
5DV9227	3600 E. 48th Ave.	Tri-R Recycling	Eligible	Eligible
5DV9231	4300 Holly St.	Univar	Eligible	Eligible
5DV9232	4200 E. 46th Ave.	Safeway Distribution Center	Eligible	Eligible

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9245	2151 E. 45th Ave.	Ralston- Purina Plant/ Nestle Purina Petcare Company	Eligible	Eligible
5DV9468	4502 Wynkoop St.	Reed Mill & Lumber Col.	Needs Data	Not Eligible
5DV9655	2381 E. 46th Ave.	Sanchez Residence	Eligible	Eligible
5DV9660	4656 Baldwin Ct	Torres Residence	Eligible	Eligible
5DV9667	4637 Claude Ct.	Brown-Alarid Residence	Eligible	Eligible
5DV9668	4639 Claude Ct.	Toth/Kelly Residence	Eligible	Eligible
5DV9678	4539 Clayton St.	Rodriguez Residence	Eligible	Eligible
5DV9679	4541 Clayton St.	4541 Clayton LLC Residence	Eligible	Eligible
5DV9705	4631 Columbine St.	Castorena/Braswell Residence	Eligible	Eligible
5DV9706	4633 Columbine St.	Pavon Residence	Eligible	Eligible
5DV9714	4503 Fillmore St.	Olive Street LLC Residence	Eligible	Eligible
5DV9735	4618 High St.	Rudy/Bernal Residence	Eligible	Eligible
5DV9742	4502 Josephine St.	Langenberg Residence	Eligible	Eligible
5DV9745	4529 Josephine St.	Kenworthy/Wyckoff Residence	Eligible	Eligible
5DV9746	4608 Columbine St.	Portales Residence	Eligible	Eligible
5DV9748	4628 Josephine St.	Chavez Residence	Eligible	Eligible
5DV9751	4647 Josephine St.	Waggoner Residence	Eligible	Eligible
5DV9753	4651 Josephine St.	James Residence	Eligible	Eligible
5DV9761	4681 Josephine St.	Krutzler/Barajas Residence	Eligible	Eligible
5DV9762	4682 Josephine St.	Geo Trust/Araujo Residence	Eligible	Eligible
5DV9780	4617-4625 Race St.	Garcia Residence	Eligible	Eligible
5DV9787	4623-4625 Thompson Ct.	Portales Residence/Windsor Artesian Water Company	Eligible	Eligible
5DV9795	4645 Williams St.	Adams Clock LLC/Mann Residence	Eligible	Eligible
5DV9801	4600 York St.	Stop-N-Shop Food Store	Eligible	Eligible
5DV9805	1630-32 E. 47th Ave.	E. G. Trading Post Business	Eligible	Eligible
5DV9821	4645 Franklin St.	The Security Realty Company Property	Eligible	Not Eligible
5DV9823	4675 Williams Street	Miller Residence	Eligible	Eligible
5DV9828	4665-69 Williams St.	Herzberg Property	Eligible	Eligible
5DV9966	4450 Adams St.	Yoshimura Residence	Eligible	Eligible
5DV9968	4460 Adams St.	McGee Residence	Eligible	Eligible
5DV9988	4715 Colorado Blvd.	General Motors Corporation-Goalie Construction	Eligible	Eligible
5DV9989	4800 Colorado Blvd.	4800 Colorado LLC/United States Rubber Co.	Eligible	Eligible
5DV9994	4515 Columbine St.	Gonzalez Residence	Eligible	Eligible
5DV9996	4653 Columbine St.	Tomas/Eagan Residence	Eligible	Eligible
5DV10003	4450 Cook St.	Vasquez Residence	Eligible	Eligible
5DV10013	4446 Fillmore St.	Guereca/Perez Residence	Eligible	Eligible



Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV10014	4453 Fillmore St.	Tenenbaum Residence	Eligible	Eligible
5DV10034	4668 High St.	Ponce Residence	Eligible	Eligible
5DV10040	4695 High St.	Garcia Residence	Eligible	Eligible
5DV10047	4701 Jackson St.	Core Power Construction/Buckley JD Inc.- Buckley Explosives of Wyoming	Eligible	Eligible
5DV10058	4707 Josephine St.	Huffman Residence	Eligible	Eligible
5DV10065	4461 Milwaukee St.	Lopez/Hartzell Residence	Eligible	Eligible
5DV10085	4662-4664 Williams St.	Allen Investment Group, Inc./Kretschmar Residence	Eligible	Eligible
5DV10086	4401 Race.	WG Pigg & Son Warehouse	Not Eligible	Not Eligible
5DV10124	4459 Thompson Ct.	Clay II LLC/Rosthan Residence	Eligible	Eligible
5DV10135	4679 Vine St.	Abrams/Loretto Residence	Eligible	Eligible
5DV11320	4630 Washington St.	Den-Col	N/A	Not Eligible
5DV11321	4530 Clayton St.	N/A	N/A	Not Eligible
5DV11322	4532 Clayton St.	N/A	N/A	Not Eligible

Notes:

N/A – Not Applicable

**Table 3: Eligibility Determinations of Resources within Alfred R. Wessel Historic District (5DV10126)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV5149	4690 Clayton St.	Avila/Procopio Residence	Contributing	Contributing
5DV9682	4600 Clayton St.	Casillas/Rosenberg Residence	Contributing	Contributing
5DV9683	4601 Clayton St.	Luchetta/Lyells Residence	Contributing	Contributing
5DV9684	4610 Clayton St.	Ramirez/Leaf Residence	Contributing	Contributing
5DV9685	4611 Clayton St.	Dady/Leaf Residence	Contributing	Contributing
5DV9686	4620 Clayton St.	Gonzalez-Cruz/Joachim Residence	Contributing	Contributing
5DV9687	4621 Clayton St.	Ortiz/Lucas Residence	Contributing	Contributing
5DV9688	4630 Clayton St.	Contreras/Showalter Residence	Contributing	Contributing
5DV9689	4631 Clayton St.	Chaires/Hogle Residence	Contributing	Contributing
5DV9690	4640 Clayton St.	Gorniak/Butcher Residence	Contributing	Contributing
5DV9691	4641 Clayton St.	AdamsClock LLC/Huttenhow Residence	Contributing	Contributing
5DV9692	4651 Clayton St.	Portales/Sullivan Residence	Contributing	Contributing
5DV9693	4661 Clayton St.	Portales/Hull Residence	Contributing	Contributing
5DV9694	4664 Clayton St.	Kouremenos/Clemman Residence	Contributing	Contributing
5DV9726	4610 Fillmore St.	Fletcher/Taylor Residence	Contributing	Contributing
5DV9727	4615 Fillmore St.	Fusco/Wilson Residence	Contributing	Contributing

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9728	4620 Fillmore St.	Mary Santa Cruz Trust/Wilson Residence	Contributing	Contributing
5DV9730	4630 Fillmore St.	Villarreal/Murray Residence	Contributing	Contributing
5DV9731	4635 Fillmore St.	Almendarez/Schuele Residence	Contributing	Contributing
5DV9732	4640 Fillmore St.	Almendarez/Huttenhow Residence	Contributing	Contributing
5DV9733	4645 Fillmore St.	Fuentes/Steidley Residence	Contributing	Contributing
5DV9734	4655 Fillmore St.	Baquero/Lambeau Residence	Contributing	Contributing
5DV9980	4670 Clayton St.	Villa/Crocker Residence	Contributing	Contributing
5DV9981	4671 Clayton St.	Rodriguez/Wayslow Residence	Contributing	Contributing
5DV9982	4680 Clayton St.	Arevalo/Williams Residence	Contributing	Contributing
5DV9983	4681 Clayton St.	Glasgow/Hinkley Residence	Contributing	Contributing
5DV9984	4685 Clayton St.	De La Cruz Flores/Callahan Residence	Contributing	Contributing
5DV9987	4694 Clayton St.	Villarreal/Kesson Residence	Contributing	Contributing
5DV10016	4650 Fillmore St.	Singer Trust/Linbery Residence	Contributing	Contributing
5DV10018	4665 Fillmore St.	Mares/Austin Residence	Contributing	Contributing
5DV10019	4670 Fillmore St.	Elliot/Rusch Residence	Contributing	Contributing
5DV10020	4675 Fillmore St.	Fusco/Moore Residence	Contributing	Contributing
5DV10022	4695 Fillmore St.	Salbenblatt/Scuddel Residence	Contributing	Contributing
5DV10023	4701 Fillmore St.	Almendariz/Rayburn Residence	Contributing	Contributing
5DV10097	4700 St. Paul Ct.	Hernandez/Miller Residence	Contributing	Contributing
5DV10098	4701 St. Paul Ct.	Simental de Garcia/Weber Residence	Contributing	Contributing
5DV10099	4705 St. Paul Ct.	Arrieta/France Residence	Contributing	Contributing
5DV10100	4710 St. Paul Ct.	Chacon/Fulton Residence	Contributing	Contributing
5DV10101	4715 St. Paul Ct.	Ruiz-A/Getty Residence	Contributing	Contributing
5DV10102	4720 St. Paul Ct.	Ornelas/Furns Residence	Contributing	Contributing
5DV10104	4730 St. Paul Ct.	Romero/Watts Residence	Contributing	Contributing
5DV10105	4735 St. Paul Ct.	Calderon/Bassett Residence	Contributing	Contributing
5DV10106	4740 St. Paul Ct.	Rodarte Family Trust/Goolsby Residence	Contributing	Contributing
5DV10108	4750 St. Paul Ct.	Velasquez/Hergert Residence	Contributing	Contributing
5DV10110	4760 St. Paul Ct.	Montelongo/Bundick Residence	Contributing	Contributing
5DV10112	4770 St. Paul Ct.	Montoya/Desilets Residence	Contributing	Contributing
5DV10115	4785 St. Paul Ct.	Galvan/Elmore Residence	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10116	4790 St. Paul Ct.	Montoya/McFaddin Residence	Contributing	Contributing
5DV10469	4650 Clayton St.	Pacheco/Aggus Residence	N/A	Contributing

Notes:

N/A – Not Applicable

**Table 4: Eligibility Determinations of Resources within National Western Historic District (5DV10050)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV3815	1325 E. 46 <sup>th</sup> Ave.	National Western Stadium Arena	Contributing	Contributing
5DV7058	N/A	I-70 Bridge over 46 <sup>th</sup> Ave. E-17-CJ	Field Not Eligible	Contributing
5DV9163	4701 Marion St.	Live Stock Exchange Building	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV9282/5 DV9162	1300 E.46th Ave.	Denver Coliseum	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10059	4699 Marion St.	K-M Building Café/ National Western Stock Show Coffee Shop	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10081	4701 Packing House Rd.	Neorama Property	Contributing	Contributing
5DV10082	4747 National Western Dr.	McConnell Welders	Contributing	Contributing
5DV10447	1325 E. 46 <sup>th</sup> Ave.	Livestock Bridge and Flyover	Contributing	Contributing

Notes:

N/A – Not Applicable

The Section 106 eligibility determinations are also being forwarded to the City of Denver Landmark Commission, Historic Denver, Colorado Preservation, Inc., and Fairmount Heritage Foundation, whom we have identified as potential Section 106 consulting parties for this project. Any comments from these organizations will be forwarded to you.

We hereby request your concurrence with these determinations of eligibility. Your response is necessary for the FHWA's compliance with Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's regulations.

Thank you in advance for your prompt attention to this matter. If you have questions or require additional information, please contact CDOT Region 6 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager

cc: Kirk Webb, Project Manager, CDOT Region 6  
Pinyon Environmental, Inc.

Attachments: Cultural Resource Survey Forms

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



April 26, 2013

Ms. Jane Daniels, Executive Director  
Colorado Preservation, Inc.  
1420 Ogden St., Suite 103  
Denver, CO 80218

**SUBJECT:** Eligibility Determinations, I-70 East Corridor Supplemental Draft Environmental  
Impact Statement Re-evaluation, Denver County and Adams County (CHS  
#41831)

Dear Ms. Daniels:

This letter and attached documents constitute a request for comments on Determinations of National Register of Historic Places (NRHP) and State Register of Historic Places (SRHP) Eligibility for the project referenced above. The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The intent of the EIS is to identify potential highway improvements along Interstate 70 (I-70) in the Denver metropolitan area between Interstate 25 (I-25) and Tower Road and to assess their potential effects on the human and natural environment.

Analysis began in June 2003 as part of the I-70 East Corridor EIS. A Draft EIS was published in November of 2008. As of a consultation meeting held March 2, 2009, CDOT decided to conduct the Section 106 consultation independently of the NEPA process. This decision was outlined in the determinations of eligibility published in January 2010. Since more than four years have passed since the 2008 Draft EIS was initially published, many federal and state regulations and requirements have changed. Additional analysis and public involvement efforts were performed to determine the validity of the alternatives that were considered reasonable alternatives in the Draft EIS. Based on public comments, the additional analysis, and the collaborative process brought about by the Preferred Alternative Collaborative Team (PACT), the project team determined that the Realignment Alternatives are no longer reasonable. Consequently, a new alternative option was designed to address the public concerns and incorporate their comments. Due to the changes in the alternatives, outdated census data, and new federal and state laws and regulations, the analysis in the 2008 Draft EIS was revisited and CDOT and FHWA will publish a Supplemental Draft EIS in summer 2013.

As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor as well as evaluating those properties constructed in 1965 or earlier that were not previously surveyed. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS. The potential effects to historic properties will be evaluated using updated designs for the alternatives



studied in the 2008 DIES and Supplemental Draft EIS. This correspondence only relates to eligibility determinations. Correspondence relating to effects determinations will be provided at a later date. Dianna Litvak, Jennifer Wahlers, and Liz Walker of Pinyon Environmental, Inc. (Pinyon), completed the cultural resources documentation and eligibility determinations in 2012-2013.

#### **Project Description**

Currently, I-70 between I-25 and Tower Road is one of the most congested and heavily traveled highway corridors in the state. The purpose of the project is to implement a transportation solution that improves safety, access, and mobility and addresses congestion on I-70. In addition, the I-70 viaduct is nearing the end of its expected lifetime. CDOT recently finished repairs on the viaduct, but the repairs will only extend the life of the structure by 15 to 20 years. After that, any major repairs on the structure will be cost prohibitive; therefore, it is critical to make a decision on replacing the structure to address safety issues and future traffic demand.

#### **Area of Potential Effects**

A revised Area of Potential Effects (APE) was submitted to the State Historic Preservation Officer (SHPO) in correspondence dated December 27, 2012. In a response dated January 4, 2013, SHPO concurred with the recommended APE. Responses were also received from Historic Denver Inc., Denver Landmark Preservation, and Fairmount Heritage Foundation, in the capacity of consulting parties. No concerns or objections were raised by these consulting parties.

#### **File and Assessor's Search Results**

Jen Wahlers and Liz Walker completed COMPASS and assessor searches of the revised APE. The COMPASS search identified:

- 117 resources noted as officially individually eligible, supporting segments of a linear resource, or contributing to an historic district located within the APE. These resources were surveyed as part of the original Draft EIS. Upon review of project correspondence with SHPO connected to the Draft EIS, it was found that several of the resources listed as eligible or contributing in COMPASS were actually determined officially not eligible per correspondence dated September 19, 2007.
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The resources with conflicting COMPASS entries are listed in the table below (Table 1).

**Table 1: Inaccurate COMPASS Entries**

Site Number	Resource Name	COMPASS Eligibility Listing	Actual Eligibility Determination per SHPO correspondence dated 9/19/07
5DV9676	Pasillas Residence	Eligible- Officially	Not Eligible
5DV9687	Ortiz/Lucas Residence	Needs-Data Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
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5DV9712	Foiani Residence	Eligible- Officially	Not Eligible
5DV9715	Torres Residence	Eligible-Officially	Not Eligible
5DV9721	Valles Residence	Eligible- Officially	Not Eligible
5DV9757	Quinonez Residence	Eligible-Officially	Not Eligible
5DV9763	Jaszczyk Residence	Eligible- Officially	Not Eligible
5DV9781	Mirelez Residence	Eligible- Officially	Not Eligible
5DV9966	Yoshimura Residence	Not Eligible- Officially	Eligible
5DV10023	Almendariz/Rayburn Residence	Needs Data- Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV10040	Garcia Residence	Not Eligible- Officially	Eligible
5DV10065	Lopez/Hartzell Residence	Not Eligible- Officially	Eligible
5DV10086	WG Pigg & Son Warehouse	Needs Data- Officially	Not Eligible

The Assessor's search identified three properties that were over fifty-years old during the original I-70 East EIS study, but were inadvertently excluded from the previous survey. It also indicated one property with a building constructed between 1963 and 1965, and therefore not surveyed in the original survey effort but falling within the age range for study under the current Supplemental Draft EIS.

#### **Methodology**

Historians from Pinyon completed OAHp standard Re-visitation Forms (1405) for all resources identified in the previous survey effort and determined officially eligible or contributing to an historic district, and located within the current APE. Those resources that were incorrectly entered in COMPASS and were actually determined officially not eligible or non-contributing were not re-evaluated. After conversations with SHPO, it was determined that some of the earlier site numbers were incorrect, or the original survey forms were incomplete. Full Architectural Inventory Forms (1403) were completed for those resources when requested and the discrepancy in site numbers is noted on the new form. Full Architectural Inventory Forms were also completed for those resources that were missed during the previous survey effort, and the one property that dates between 1965 and 1963.

Under the previous survey effort, buildings within the Safeway Distribution Center Historic District (5DV9232) were recorded as separate resources with distinct site numbers. When entered into COMPASS, SHPO chose to discard the individual site numbers for each resource and record them all as features under one site number- 5DV9232. The re-visitation form completed under this survey effort followed the organization established by SHPO, using 5DV9232 and labeling all buildings within the resource boundary as features.

Two of the boundaries for the previously surveyed linear resources were augmented under this survey effort because of a slight change to the APE boundary. For those resources, which include the Union Pacific Beltline Railroad Segment (5AM2083.1) and the Chicago Burlington & Quincy Segment (5DV6247.3), full Management Data Forms (1400) and Linear Component Forms (1418) were completed to record the additional length. Although the Highline Canal is in the current APE, the proposed alternatives will have no impacts to the canal, either directly or indirectly; therefore, a re-visitation form for the resource was not completed and it is not included in this consultation.

Twenty-three bridges are located within the APE. Only 12 of those structures were built in 1965 or earlier, and only one bridge is not covered by the Section 106 Exemption for the Interstate Highway System. TranSystems completed Historic Bridge Site Forms under the latest CDOT Historic Bridge Inventory project for the bridge that requires an official eligibility determination, E-17-Z (5DV7062), which has been recommended as field not eligible. Consultation on this bridge has not yet occurred as part of that effort. The form is being submitted to obtain an official eligibility determination.

In total, 121 resources were surveyed as part of the Supplemental Draft EIS Re-evaluation effort.

#### **Eligibility Determinations for Properties Surveyed**

Tables 2, 3 and 4 summarize the eligibility recommendations for the resources re-evaluated as part of the Supplemental Draft EIS.

**Table 2: Eligibility Determinations**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5AM125	5201 Brighton Blvd.	Riverside Cemetery	Listed	Listed
5AM1298.2	N/A	Market Street Railroad/Chicago Burlington & Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5AM2083.1	N/A	Union Pacific Beltline Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV1172	4673 Josephine St.	Hovan/Pazola Residence	Eligible	Eligible
5DV1247	4681-4683 Baldwin Ct.	Kosik Residence	Eligible	Eligible
5DV5623	4696 Josephine St.	Lovato Residence	Eligible	Eligible
5DV5677	4632 Josephine St	Miranda/Taylor Residence	Eligible	Eligible
5DV6247.3	N/A	Chicago, Burlington and Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV6248.4	N/A	Union Pacific Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7048.2	N/A	Rocky Mountain Arsenal Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7062	N/A	UPRR Bridge over 46 <sup>th</sup> Ave. E-17-Z	Field Not Eligible	Not Eligible
5DV7130	2615 East 46th Ave.	Colonial Manor Tourist Court	Eligible	Eligible
5DV9227	3600 E. 48th Ave.	Tri-R Recycling	Eligible	Eligible
5DV9231	4300 Holly St.	Univar	Eligible	Eligible
5DV9232	4200 E. 46th Ave.	Safeway Distribution Center	Eligible	Eligible

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9245	2151 E. 45th Ave.	Ralston- Purina Plant/ Nestle Purina Petcare Company	Eligible	Eligible
5DV9468	4502 Wynkoop St.	Reed Mill & Lumber Col.	Needs Data	Not Eligible
5DV9655	2381 E. 46th Ave.	Sanchez Residence	Eligible	Eligible
5DV9660	4656 Baldwin Ct	Torres Residence	Eligible	Eligible
5DV9667	4637 Claude Ct.	Brown-Alarid Residence	Eligible	Eligible
5DV9668	4639 Claude Ct.	Toth/Kelly Residence	Eligible	Eligible
5DV9678	4539 Clayton St.	Rodriguez Residence	Eligible	Eligible
5DV9679	4541 Clayton St.	4541 Clayton LLC Residence	Eligible	Eligible
5DV9705	4631 Columbine St.	Castorena/Braswell Residence	Eligible	Eligible
5DV9706	4633 Columbine St.	Pavon Residence	Eligible	Eligible
5DV9714	4503 Fillmore St.	Olive Street LLC Residence	Eligible	Eligible
5DV9735	4618 High St.	Rudy/Bernal Residence	Eligible	Eligible
5DV9742	4502 Josephine St.	Langenberg Residence	Eligible	Eligible
5DV9745	4529 Josephine St.	Kenworthy/Wyckoff Residence	Eligible	Eligible
5DV9746	4608 Columbine St.	Portales Residence	Eligible	Eligible
5DV9748	4628 Josephine St.	Chavez Residence	Eligible	Eligible
5DV9751	4647 Josephine St.	Waggoner Residence	Eligible	Eligible
5DV9753	4651 Josephine St.	James Residence	Eligible	Eligible
5DV9761	4681 Josephine St.	Krutzler/Barajas Residence	Eligible	Eligible
5DV9762	4682 Josephine St.	Geo Trust/Araujo Residence	Eligible	Eligible
5DV9780	4617-4625 Race St.	Garcia Residence	Eligible	Eligible
5DV9787	4623-4625 Thompson Ct.	Portales Residence/Windsor Artesian Water Company	Eligible	Eligible
5DV9795	4645 Williams St.	Adams Clock LLC/Mann Residence	Eligible	Eligible
5DV9801	4600 York St.	Stop-N-Shop Food Store	Eligible	Eligible
5DV9805	1630-32 E. 47th Ave.	E. G. Trading Post Business	Eligible	Eligible
5DV9821	4645 Franklin St.	The Security Realty Company Property	Eligible	Not Eligible
5DV9823	4675 Williams Street	Miller Residence	Eligible	Eligible
5DV9828	4665-69 Williams St.	Herzberg Property	Eligible	Eligible
5DV9966	4450 Adams St.	Yoshimura Residence	Eligible	Eligible
5DV9968	4460 Adams St.	McGee Residence	Eligible	Eligible
5DV9988	4715 Colorado Blvd.	General Motors Corporation- Goalie Construction	Eligible	Eligible
5DV9989	4800 Colorado Blvd.	4800 Colorado LLC/United States Rubber Co.	Eligible	Eligible
5DV9994	4515 Columbine St.	Gonzalez Residence	Eligible	Eligible
5DV9996	4653 Columbine St.	Tomas/Eagan Residence	Eligible	Eligible
5DV10003	4450 Cook St.	Vasquez Residence	Eligible	Eligible
5DV10013	4446 Fillmore St.	Guereca/Perez Residence	Eligible	Eligible



Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV10014	4453 Fillmore St.	Tenenbaum Residence	Eligible	Eligible
5DV10034	4668 High St.	Ponce Residence	Eligible	Eligible
5DV10040	4695 High St.	Garcia Residence	Eligible	Eligible
5DV10047	4701 Jackson St.	Core Power Construction/Buckley JD Inc.- Buckley Explosives of Wyoming	Eligible	Eligible
5DV10058	4707 Josephine St.	Huffman Residence	Eligible	Eligible
5DV10065	4461 Milwaukee St.	Lopez/Hartzell Residence	Eligible	Eligible
5DV10085	4662-4664 Williams St.	Allen Investment Group, Inc./Kretschmar Residence	Eligible	Eligible
5DV10086	4401 Race.	WG Pigg & Son Warehouse	Not Eligible	Not Eligible
5DV10124	4459 Thompson Ct.	Clay II LLC/Rosthan Residence	Eligible	Eligible
5DV10135	4679 Vine St.	Abrams/Loretto Residence	Eligible	Eligible
5DV11320	4630 Washington St.	Den-Col	N/A	Not Eligible
5DV11321	4530 Clayton St.	N/A	N/A	Not Eligible
5DV11322	4532 Clayton St.	N/A	N/A	Not Eligible

Notes:

N/A – Not Applicable

**Table 3: Eligibility Determinations of Resources within Alfred R. Wessel Historic District (5DV10126)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV5149	4690 Clayton St.	Avila/Procopio Residence	Contributing	Contributing
5DV9682	4600 Clayton St.	Casillas/Rosenberg Residence	Contributing	Contributing
5DV9683	4601 Clayton St.	Luchetta/Lyells Residence	Contributing	Contributing
5DV9684	4610 Clayton St.	Ramirez/Leaf Residence	Contributing	Contributing
5DV9685	4611 Clayton St.	Dady/Leaf Residence	Contributing	Contributing
5DV9686	4620 Clayton St.	Gonzalez-Cruz/Joachim Residence	Contributing	Contributing
5DV9687	4621 Clayton St.	Ortiz/Lucas Residence	Contributing	Contributing
5DV9688	4630 Clayton St.	Contreras/Showalter Residence	Contributing	Contributing
5DV9689	4631 Clayton St.	Chaires/Hogle Residence	Contributing	Contributing
5DV9690	4640 Clayton St.	Gorniak/Butcher Residence	Contributing	Contributing
5DV9691	4641 Clayton St.	AdamsClock LLC/Huttenhow Residence	Contributing	Contributing
5DV9692	4651 Clayton St.	Portales/Sullivan Residence	Contributing	Contributing
5DV9693	4661 Clayton St.	Portales/Hull Residence	Contributing	Contributing
5DV9694	4664 Clayton St.	Kouremenos/Clemman Residence	Contributing	Contributing
5DV9726	4610 Fillmore St.	Fletcher/Taylor Residence	Contributing	Contributing
5DV9727	4615 Fillmore St.	Fusco/Wilson Residence	Contributing	Contributing

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9728	4620 Fillmore St.	Mary Santa Cruz Trust/Wilson Residence	Contributing	Contributing
5DV9730	4630 Fillmore St.	Villarreal/Murray Residence	Contributing	Contributing
5DV9731	4635 Fillmore St.	Almendarez/Schuele Residence	Contributing	Contributing
5DV9732	4640 Fillmore St.	Almendarez/Huttenhow Residence	Contributing	Contributing
5DV9733	4645 Fillmore St.	Fuentes/Steidley Residence	Contributing	Contributing
5DV9734	4655 Fillmore St.	Baquero/Lambeau Residence	Contributing	Contributing
5DV9980	4670 Clayton St.	Villa/Crocker Residence	Contributing	Contributing
5DV9981	4671 Clayton St.	Rodriguez/Wayslow Residence	Contributing	Contributing
5DV9982	4680 Clayton St.	Arevalo/Williams Residence	Contributing	Contributing
5DV9983	4681 Clayton St.	Glasgow/Hinkley Residence	Contributing	Contributing
5DV9984	4685 Clayton St.	De La Cruz Flores/Callahan Residence	Contributing	Contributing
5DV9987	4694 Clayton St.	Villarreal/Kesson Residence	Contributing	Contributing
5DV10016	4650 Fillmore St.	Singer Trust/Linbery Residence	Contributing	Contributing
5DV10018	4665 Fillmore St.	Mares/Austin Residence	Contributing	Contributing
5DV10019	4670 Fillmore St.	Elliot/Rusch Residence	Contributing	Contributing
5DV10020	4675 Fillmore St.	Fusco/Moore Residence	Contributing	Contributing
5DV10022	4695 Fillmore St.	Salbenblatt/Scuddel Residence	Contributing	Contributing
5DV10023	4701 Fillmore St.	Almendariz/Rayburn Residence	Contributing	Contributing
5DV10097	4700 St. Paul Ct.	Hernandez/Miller Residence	Contributing	Contributing
5DV10098	4701 St. Paul Ct.	Simental de Garcia/Weber Residence	Contributing	Contributing
5DV10099	4705 St. Paul Ct.	Arrieta/France Residence	Contributing	Contributing
5DV10100	4710 St. Paul Ct.	Chacon/Fulton Residence	Contributing	Contributing
5DV10101	4715 St. Paul Ct.	Ruiz-A/Getty Residence	Contributing	Contributing
5DV10102	4720 St. Paul Ct.	Ornelas/Furns Residence	Contributing	Contributing
5DV10104	4730 St. Paul Ct.	Romero/Watts Residence	Contributing	Contributing
5DV10105	4735 St. Paul Ct.	Calderon/Bassett Residence	Contributing	Contributing
5DV10106	4740 St. Paul Ct.	Rodarte Family Trust/Goolsby Residence	Contributing	Contributing
5DV10108	4750 St. Paul Ct.	Velasquez/Hergert Residence	Contributing	Contributing
5DV10110	4760 St. Paul Ct.	Montelongo/Bundick Residence	Contributing	Contributing
5DV10112	4770 St. Paul Ct.	Montoya/Desilets Residence	Contributing	Contributing
5DV10115	4785 St. Paul Ct.	Galvan/Elmore Residence	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10116	4790 St. Paul Ct.	Montoya/McFaddin Residence	Contributing	Contributing
5DV10469	4650 Clayton St.	Pacheco/Aggus Residence	N/A	Contributing

Notes:

N/A – Not Applicable

**Table 4: Eligibility Determinations of Resources within National Western Historic District (5DV10050)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV3815	1325 E. 46 <sup>th</sup> Ave.	National Western Stadium Arena	Contributing	Contributing
5DV7058	N/A	I-70 Bridge over 46 <sup>th</sup> Ave. E-17-CJ	Field Not Eligible	Contributing
5DV9163	4701 Marion St.	Live Stock Exchange Building	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV9282/5DV9162	1300 E.46th Ave.	Denver Coliseum`	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10059	4699 Marion St.	K-M Building Café/ National Western Stock Show Coffee Shop	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10081	4701 Packing House Rd.	Neorama Property	Contributing	Contributing
5DV10082	4747 National Western Dr.	McConnell Welders	Contributing	Contributing
5DV10447	1325 E. 46 <sup>th</sup> Ave.	Livestock Bridge and Flyover	Contributing	Contributing

Notes:

N/A – Not Applicable

The Section 106 eligibility determinations are being forwarded concurrently to Mr. Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. As an organization with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 6 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Elizabeth Kemp-Herrera

Region 6 Planning and Environmental Manager

cc: Kirk Webb, Project Manager, CDOT Region 6  
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Attachments: Cultural Resource Survey Forms

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



April 26, 2013

Ms. Patricia A. Carmody  
Fairmount Heritage Foundation  
430 S. Quebec St.  
Denver, CO 80247

**SUBJECT:** Eligibility Determinations, I-70 East Corridor Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter and attached documents constitute a request for comments on Determinations of National Register of Historic Places (NRHP) and State Register of Historic Places (SRHP) Eligibility for the project referenced above. The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The intent of the EIS is to identify potential highway improvements along Interstate 70 (I-70) in the Denver metropolitan area between Interstate 25 (I-25) and Tower Road and to assess their potential effects on the human and natural environment.

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5DV9699	Limon Residence	Eligible-Officially	Not Eligible
5DV9712	Foiani Residence	Eligible- Officially	Not Eligible
5DV9715	Torres Residence	Eligible-Officially	Not Eligible
5DV9721	Valles Residence	Eligible- Officially	Not Eligible
5DV9757	Quinonez Residence	Eligible-Officially	Not Eligible
5DV9763	Jaszczyk Residence	Eligible- Officially	Not Eligible
5DV9781	Mirelez Residence	Eligible- Officially	Not Eligible
5DV9966	Yoshimura Residence	Not Eligible- Officially	Eligible
5DV10023	Almendariz/Rayburn Residence	Needs Data- Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV10040	Garcia Residence	Not Eligible- Officially	Eligible
5DV10065	Lopez/Hartzell Residence	Not Eligible- Officially	Eligible
5DV10086	WG Pigg & Son Warehouse	Needs Data- Officially	Not Eligible

The Assessor's search identified three properties that were over fifty-years old during the original I-70 East EIS study, but were inadvertently excluded from the previous survey. It also indicated one property with a building constructed between 1963 and 1965, and therefore not surveyed in the original survey effort but falling within the age range for study under the current Supplemental Draft EIS.

#### **Methodology**

Historians from Pinyon completed OAHp standard Re-visitation Forms (1405) for all resources identified in the previous survey effort and determined officially eligible or contributing to an historic district, and located within the current APE. Those resources that were incorrectly entered in COMPASS and were actually determined officially not eligible or non-contributing were not re-evaluated. After conversations with SHPO, it was determined that some of the earlier site numbers were incorrect, or the original survey forms were incomplete. Full Architectural Inventory Forms (1403) were completed for those resources when requested and the discrepancy in site numbers is noted on the new form. Full Architectural Inventory Forms were also completed for those resources that were missed during the previous survey effort, and the one property that dates between 1965 and 1963.

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Two of the boundaries for the previously surveyed linear resources were augmented under this survey effort because of a slight change to the APE boundary. For those resources, which include the Union Pacific Beltline Railroad Segment (5AM2083.1) and the Chicago Burlington & Quincy Segment (5DV6247.3), full Management Data Forms (1400) and Linear Component Forms (1418) were completed to record the additional length. Although the Highline Canal is in the current APE, the proposed alternatives will have no impacts to the canal, either directly or indirectly; therefore, a re-visitation form for the resource was not completed and it is not included in this consultation.

Twenty-three bridges are located within the APE. Only 12 of those structures were built in 1965 or earlier, and only one bridge is not covered by the Section 106 Exemption for the Interstate Highway System. TranSystems completed Historic Bridge Site Forms under the latest CDOT Historic Bridge Inventory project for the bridge that requires an official eligibility determination, E-17-Z (5DV7062), which has been recommended as field not eligible. Consultation on this bridge has not yet occurred as part of that effort. The form is being submitted to obtain an official eligibility determination.

In total, 121 resources were surveyed as part of the Supplemental Draft EIS Re-evaluation effort.

#### **Eligibility Determinations for Properties Surveyed**

Tables 2, 3 and 4 summarize the eligibility recommendations for the resources re-evaluated as part of the Supplemental Draft EIS.

**Table 2: Eligibility Determinations**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5AM125	5201 Brighton Blvd.	Riverside Cemetery	Listed	Listed
5AM1298.2	N/A	Market Street Railroad/Chicago Burlington & Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5AM2083.1	N/A	Union Pacific Beltline Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV1172	4673 Josephine St.	Hovan/Pazola Residence	Eligible	Eligible
5DV1247	4681-4683 Baldwin Ct.	Kosik Residence	Eligible	Eligible
5DV5623	4696 Josephine St.	Lovato Residence	Eligible	Eligible
5DV5677	4632 Josephine St	Miranda/Taylor Residence	Eligible	Eligible
5DV6247.3	N/A	Chicago, Burlington and Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV6248.4	N/A	Union Pacific Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7048.2	N/A	Rocky Mountain Arsenal Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7062	N/A	UPRR Bridge over 46 <sup>th</sup> Ave. E-17-Z	Field Not Eligible	Not Eligible
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5DV9231	4300 Holly St.	Univar	Eligible	Eligible
5DV9232	4200 E. 46th Ave.	Safeway Distribution Center	Eligible	Eligible

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9245	2151 E. 45th Ave.	Ralston- Purina Plant/ Nestle Purina Petcare Company	Eligible	Eligible
5DV9468	4502 Wynkoop St.	Reed Mill & Lumber Col.	Needs Data	Not Eligible
5DV9655	2381 E. 46th Ave.	Sanchez Residence	Eligible	Eligible
5DV9660	4656 Baldwin Ct	Torres Residence	Eligible	Eligible
5DV9667	4637 Claude Ct.	Brown-Alarid Residence	Eligible	Eligible
5DV9668	4639 Claude Ct.	Toth/Kelly Residence	Eligible	Eligible
5DV9678	4539 Clayton St.	Rodriguez Residence	Eligible	Eligible
5DV9679	4541 Clayton St.	4541 Clayton LLC Residence	Eligible	Eligible
5DV9705	4631 Columbine St.	Castorena/Braswell Residence	Eligible	Eligible
5DV9706	4633 Columbine St.	Pavon Residence	Eligible	Eligible
5DV9714	4503 Fillmore St.	Olive Street LLC Residence	Eligible	Eligible
5DV9735	4618 High St.	Rudy/Bernal Residence	Eligible	Eligible
5DV9742	4502 Josephine St.	Langenberg Residence	Eligible	Eligible
5DV9745	4529 Josephine St.	Kenworthy/Wyckoff Residence	Eligible	Eligible
5DV9746	4608 Columbine St.	Portales Residence	Eligible	Eligible
5DV9748	4628 Josephine St.	Chavez Residence	Eligible	Eligible
5DV9751	4647 Josephine St.	Waggoner Residence	Eligible	Eligible
5DV9753	4651 Josephine St.	James Residence	Eligible	Eligible
5DV9761	4681 Josephine St.	Krutzler/Barajas Residence	Eligible	Eligible
5DV9762	4682 Josephine St.	Geo Trust/Araujo Residence	Eligible	Eligible
5DV9780	4617-4625 Race St.	Garcia Residence	Eligible	Eligible
5DV9787	4623-4625 Thompson Ct.	Portales Residence/Windsor Artesian Water Company	Eligible	Eligible
5DV9795	4645 Williams St.	Adams Clock LLC/Mann Residence	Eligible	Eligible
5DV9801	4600 York St.	Stop-N-Shop Food Store	Eligible	Eligible
5DV9805	1630-32 E. 47th Ave.	E. G. Trading Post Business	Eligible	Eligible
5DV9821	4645 Franklin St.	The Security Realty Company Property	Eligible	Not Eligible
5DV9823	4675 Williams Street	Miller Residence	Eligible	Eligible
5DV9828	4665-69 Williams St.	Herzberg Property	Eligible	Eligible
5DV9966	4450 Adams St.	Yoshimura Residence	Eligible	Eligible
5DV9968	4460 Adams St.	McGee Residence	Eligible	Eligible
5DV9988	4715 Colorado Blvd.	General Motors Corporation-Goalie Construction	Eligible	Eligible
5DV9989	4800 Colorado Blvd.	4800 Colorado LLC/United States Rubber Co.	Eligible	Eligible
5DV9994	4515 Columbine St.	Gonzalez Residence	Eligible	Eligible
5DV9996	4653 Columbine St.	Tomas/Eagan Residence	Eligible	Eligible
5DV10003	4450 Cook St.	Vasquez Residence	Eligible	Eligible
5DV10013	4446 Fillmore St.	Guereca/Perez Residence	Eligible	Eligible



Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV10014	4453 Fillmore St.	Tenenbaum Residence	Eligible	Eligible
5DV10034	4668 High St.	Ponce Residence	Eligible	Eligible
5DV10040	4695 High St.	Garcia Residence	Eligible	Eligible
5DV10047	4701 Jackson St.	Core Power Construction/Buckley JD Inc.- Buckley Explosives of Wyoming	Eligible	Eligible
5DV10058	4707 Josephine St.	Huffman Residence	Eligible	Eligible
5DV10065	4461 Milwaukee St.	Lopez/Hartzell Residence	Eligible	Eligible
5DV10085	4662-4664 Williams St.	Allen Investment Group, Inc./Kretschmar Residence	Eligible	Eligible
5DV10086	4401 Race.	WG Pigg & Son Warehouse	Not Eligible	Not Eligible
5DV10124	4459 Thompson Ct.	Clay II LLC/Rosthan Residence	Eligible	Eligible
5DV10135	4679 Vine St.	Abrams/Loretto Residence	Eligible	Eligible
5DV11320	4630 Washington St.	Den-Col	N/A	Not Eligible
5DV11321	4530 Clayton St.	N/A	N/A	Not Eligible
5DV11322	4532 Clayton St.	N/A	N/A	Not Eligible

Notes:

N/A – Not Applicable

**Table 3: Eligibility Determinations of Resources within Alfred R. Wessel Historic District (5DV10126)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV5149	4690 Clayton St.	Avila/Procopio Residence	Contributing	Contributing
5DV9682	4600 Clayton St.	Casillas/Rosenberg Residence	Contributing	Contributing
5DV9683	4601 Clayton St.	Luchetta/Lyells Residence	Contributing	Contributing
5DV9684	4610 Clayton St.	Ramirez/Leaf Residence	Contributing	Contributing
5DV9685	4611 Clayton St.	Dady/Leaf Residence	Contributing	Contributing
5DV9686	4620 Clayton St.	Gonzalez-Cruz/Joachim Residence	Contributing	Contributing
5DV9687	4621 Clayton St.	Ortiz/Lucas Residence	Contributing	Contributing
5DV9688	4630 Clayton St.	Contreras/Showalter Residence	Contributing	Contributing
5DV9689	4631 Clayton St.	Chaires/Hogle Residence	Contributing	Contributing
5DV9690	4640 Clayton St.	Gorniak/Butcher Residence	Contributing	Contributing
5DV9691	4641 Clayton St.	AdamsClock LLC/Huttenhow Residence	Contributing	Contributing
5DV9692	4651 Clayton St.	Portales/Sullivan Residence	Contributing	Contributing
5DV9693	4661 Clayton St.	Portales/Hull Residence	Contributing	Contributing
5DV9694	4664 Clayton St.	Kouremenos/Clemman Residence	Contributing	Contributing
5DV9726	4610 Fillmore St.	Fletcher/Taylor Residence	Contributing	Contributing
5DV9727	4615 Fillmore St.	Fusco/Wilson Residence	Contributing	Contributing

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9728	4620 Fillmore St.	Mary Santa Cruz Trust/Wilson Residence	Contributing	Contributing
5DV9730	4630 Fillmore St.	Villarreal/Murray Residence	Contributing	Contributing
5DV9731	4635 Fillmore St.	Almendarez/Schuele Residence	Contributing	Contributing
5DV9732	4640 Fillmore St.	Almendarez/Huttenhow Residence	Contributing	Contributing
5DV9733	4645 Fillmore St.	Fuentes/Steidley Residence	Contributing	Contributing
5DV9734	4655 Fillmore St.	Baquero/Lambeau Residence	Contributing	Contributing
5DV9980	4670 Clayton St.	Villa/Crocker Residence	Contributing	Contributing
5DV9981	4671 Clayton St.	Rodriguez/Wayslow Residence	Contributing	Contributing
5DV9982	4680 Clayton St.	Arevalo/Williams Residence	Contributing	Contributing
5DV9983	4681 Clayton St.	Glasgow/Hinkley Residence	Contributing	Contributing
5DV9984	4685 Clayton St.	De La Cruz Flores/Callahan Residence	Contributing	Contributing
5DV9987	4694 Clayton St.	Villarreal/Kesson Residence	Contributing	Contributing
5DV10016	4650 Fillmore St.	Singer Trust/Linbery Residence	Contributing	Contributing
5DV10018	4665 Fillmore St.	Mares/Austin Residence	Contributing	Contributing
5DV10019	4670 Fillmore St.	Elliot/Rusch Residence	Contributing	Contributing
5DV10020	4675 Fillmore St.	Fusco/Moore Residence	Contributing	Contributing
5DV10022	4695 Fillmore St.	Salbenblatt/Scuddel Residence	Contributing	Contributing
5DV10023	4701 Fillmore St.	Almendariz/Rayburn Residence	Contributing	Contributing
5DV10097	4700 St. Paul Ct.	Hernandez/Miller Residence	Contributing	Contributing
5DV10098	4701 St. Paul Ct.	Simental de Garcia/Weber Residence	Contributing	Contributing
5DV10099	4705 St. Paul Ct.	Arrieta/France Residence	Contributing	Contributing
5DV10100	4710 St. Paul Ct.	Chacon/Fulton Residence	Contributing	Contributing
5DV10101	4715 St. Paul Ct.	Ruiz-A/Getty Residence	Contributing	Contributing
5DV10102	4720 St. Paul Ct.	Ornelas/Furns Residence	Contributing	Contributing
5DV10104	4730 St. Paul Ct.	Romero/Watts Residence	Contributing	Contributing
5DV10105	4735 St. Paul Ct.	Calderon/Bassett Residence	Contributing	Contributing
5DV10106	4740 St. Paul Ct.	Rodarte Family Trust/Goolsby Residence	Contributing	Contributing
5DV10108	4750 St. Paul Ct.	Velasquez/Hergert Residence	Contributing	Contributing
5DV10110	4760 St. Paul Ct.	Montelongo/Bundick Residence	Contributing	Contributing
5DV10112	4770 St. Paul Ct.	Montoya/Desilets Residence	Contributing	Contributing
5DV10115	4785 St. Paul Ct.	Galvan/Elmore Residence	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10116	4790 St. Paul Ct.	Montoya/McFaddin Residence	Contributing	Contributing
5DV10469	4650 Clayton St.	Pacheco/Aggus Residence	N/A	Contributing

Notes:

N/A – Not Applicable

**Table 4: Eligibility Determinations of Resources within National Western Historic District (5DV10050)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV3815	1325 E. 46 <sup>th</sup> Ave.	National Western Stadium Arena	Contributing	Contributing
5DV7058	N/A	I-70 Bridge over 46 <sup>th</sup> Ave. E-17-CJ	Field Not Eligible	Contributing
5DV9163	4701 Marion St.	Live Stock Exchange Building	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV9282/5 DV9162	1300 E.46th Ave.	Denver Coliseum	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10059	4699 Marion St.	K-M Building Café/ National Western Stock Show Coffee Shop	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10081	4701 Packing House Rd.	Neorama Property	Contributing	Contributing
5DV10082	4747 National Western Dr.	McConnell Welders	Contributing	Contributing
5DV10447	1325 E. 46 <sup>th</sup> Ave.	Livestock Bridge and Flyover	Contributing	Contributing


Notes:

N/A – Not Applicable

The Section 106 eligibility determinations are being forwarded concurrently to Mr. Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. As an organization with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 6 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager

cc: Kirk Webb, Project Manager, CDOT Region 6  
Pinyon Environmental, Inc.

Attachments: Cultural Resource Survey Forms

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



April 26, 2013

Ms. Annie Levinsky, Executive Director  
Historic Denver, Inc.  
1420 Ogden St., Suite 202  
Denver, CO 80218

**SUBJECT:** Eligibility Determinations, I-70 East Corridor Supplemental Draft Environmental  
Impact Statement Re-evaluation, Denver County and Adams County (CHS  
#41831)

Dear Ms. Levinsky:

This letter and attached documents constitute a request for comments on Determinations of National Register of Historic Places (NRHP) and State Register of Historic Places (SRHP) Eligibility for the project referenced above. The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The intent of the EIS is to identify potential highway improvements along Interstate 70 (I-70) in the Denver metropolitan area between Interstate 25 (I-25) and Tower Road and to assess their potential effects on the human and natural environment.

Analysis began in June 2003 as part of the I-70 East Corridor EIS. A Draft EIS was published in November of 2008. As of a consultation meeting held March 2, 2009, CDOT decided to conduct the Section 106 consultation independently of the NEPA process. This decision was outlined in the determinations of eligibility published in January 2010. Since more than four years have passed since the 2008 Draft EIS was initially published, many federal and state regulations and requirements have changed. Additional analysis and public involvement efforts were performed to determine the validity of the alternatives that were considered reasonable alternatives in the Draft EIS. Based on public comments, the additional analysis, and the collaborative process brought about by the Preferred Alternative Collaborative Team (PACT), the project team determined that the Realignment Alternatives are no longer reasonable. Consequently, a new alternative option was designed to address the public concerns and incorporate their comments. Due to the changes in the alternatives, outdated census data, and new federal and state laws and regulations, the analysis in the 2008 Draft EIS was revisited and CDOT and FHWA will publish a Supplemental Draft EIS in summer 2013.

As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor as well as evaluating those properties constructed in 1965 or earlier that were not previously surveyed. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS. The potential effects to historic properties will be evaluated using updated designs for the alternatives



studied in the 2008 DIES and Supplemental Draft EIS. This correspondence only relates to eligibility determinations. Correspondence relating to effects determinations will be provided at a later date. Dianna Litvak, Jennifer Wahlers, and Liz Walker of Pinyon Environmental, Inc. (Pinyon), completed the cultural resources documentation and eligibility determinations in 2012-2013.

### **Project Description**

Currently, I-70 between I-25 and Tower Road is one of the most congested and heavily traveled highway corridors in the state. The purpose of the project is to implement a transportation solution that improves safety, access, and mobility and addresses congestion on I-70. In addition, the I-70 viaduct is nearing the end of its expected lifetime. CDOT recently finished repairs on the viaduct, but the repairs will only extend the life of the structure by 15 to 20 years. After that, any major repairs on the structure will be cost prohibitive; therefore, it is critical to make a decision on replacing the structure to address safety issues and future traffic demand.

### **Area of Potential Effects**

A revised Area of Potential Effects (APE) was submitted to the State Historic Preservation Officer (SHPO) in correspondence dated December 27, 2012. In a response dated January 4, 2013, SHPO concurred with the recommended APE. Responses were also received from Historic Denver Inc., Denver Landmark Preservation, and Fairmount Heritage Foundation, in the capacity of consulting parties. No concerns or objections were raised by these consulting parties.

### **File and Assessor's Search Results**

Jen Wahlers and Liz Walker completed COMPASS and assessor searches of the revised APE. The COMPASS search identified:

- 117 resources noted as officially individually eligible, supporting segments of a linear resource, or contributing to an historic district located within the APE. These resources were surveyed as part of the original Draft EIS. Upon review of project correspondence with SHPO connected to the Draft EIS, it was found that several of the resources listed as eligible or contributing in COMPASS were actually determined officially not eligible per correspondence dated September 19, 2007.
- Three resources noted as "needs data" or lacking an official determination. Upon further review of the September 19, 2007, correspondence with SHPO, two of these resources were determined officially not eligible but were incorrectly entered into COMPASS. Only one of these resources (5DV9468) was actually "needs data."
- Three resources were entered in COMPASS as officially not eligible when in fact they were determined officially eligible per the same SHPO correspondence.
- Four districts that were previously identified in the APE and determined officially eligible: the National Western District (5DV10050), the Safeway Distribution Center (5DV9232), the Alfred R. Wessel Historic District (5DV10126), and Riverside Cemetery (5AM125).
- Six previously surveyed linear resources were located in the revised APE.

The resources with conflicting COMPASS entries are listed in the table below (Table 1).

**Table 1: Inaccurate COMPASS Entries**

Site Number	Resource Name	COMPASS Eligibility Listing	Actual Eligibility Determination per SHPO correspondence dated 9/19/07
5DV9676	Pasillas Residence	Eligible- Officially	Not Eligible
5DV9687	Ortiz/Lucas Residence	Needs-Data Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV9699	Limon Residence	Eligible-Officially	Not Eligible
5DV9712	Foiani Residence	Eligible- Officially	Not Eligible
5DV9715	Torres Residence	Eligible-Officially	Not Eligible
5DV9721	Valles Residence	Eligible- Officially	Not Eligible
5DV9757	Quinonez Residence	Eligible-Officially	Not Eligible
5DV9763	Jaszczyk Residence	Eligible- Officially	Not Eligible
5DV9781	Mirelez Residence	Eligible- Officially	Not Eligible
5DV9966	Yoshimura Residence	Not Eligible- Officially	Eligible
5DV10023	Almendariz/Rayburn Residence	Needs Data- Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV10040	Garcia Residence	Not Eligible- Officially	Eligible
5DV10065	Lopez/Hartzell Residence	Not Eligible- Officially	Eligible
5DV10086	WG Pigg & Son Warehouse	Needs Data- Officially	Not Eligible

The Assessor's search identified three properties that were over fifty-years old during the original I-70 East EIS study, but were inadvertently excluded from the previous survey. It also indicated one property with a building constructed between 1963 and 1965, and therefore not surveyed in the original survey effort but falling within the age range for study under the current Supplemental Draft EIS.

#### **Methodology**

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5DV1247	4681-4683 Baldwin Ct.	Kosik Residence	Eligible	Eligible
5DV5623	4696 Josephine St.	Lovato Residence	Eligible	Eligible
5DV5677	4632 Josephine St	Miranda/Taylor Residence	Eligible	Eligible
5DV6247.3	N/A	Chicago, Burlington and Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV6248.4	N/A	Union Pacific Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7048.2	N/A	Rocky Mountain Arsenal Railroad Segment	Eligible-Supporting	Eligible-Supporting
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5DV9655	2381 E. 46th Ave.	Sanchez Residence	Eligible	Eligible
5DV9660	4656 Baldwin Ct	Torres Residence	Eligible	Eligible
5DV9667	4637 Claude Ct.	Brown-Alarid Residence	Eligible	Eligible
5DV9668	4639 Claude Ct.	Toth/Kelly Residence	Eligible	Eligible
5DV9678	4539 Clayton St.	Rodriguez Residence	Eligible	Eligible
5DV9679	4541 Clayton St.	4541 Clayton LLC Residence	Eligible	Eligible
5DV9705	4631 Columbine St.	Castorena/Braswell Residence	Eligible	Eligible
5DV9706	4633 Columbine St.	Pavon Residence	Eligible	Eligible
5DV9714	4503 Fillmore St.	Olive Street LLC Residence	Eligible	Eligible
5DV9735	4618 High St.	Rudy/Bernal Residence	Eligible	Eligible
5DV9742	4502 Josephine St.	Langenberg Residence	Eligible	Eligible
5DV9745	4529 Josephine St.	Kenworthy/Wyckoff Residence	Eligible	Eligible
5DV9746	4608 Columbine St.	Portales Residence	Eligible	Eligible
5DV9748	4628 Josephine St.	Chavez Residence	Eligible	Eligible
5DV9751	4647 Josephine St.	Waggoner Residence	Eligible	Eligible
5DV9753	4651 Josephine St.	James Residence	Eligible	Eligible
5DV9761	4681 Josephine St.	Krutzler/Barajas Residence	Eligible	Eligible
5DV9762	4682 Josephine St.	Geo Trust/Araujo Residence	Eligible	Eligible
5DV9780	4617-4625 Race St.	Garcia Residence	Eligible	Eligible
5DV9787	4623-4625 Thompson Ct.	Portales Residence/Windsor Artesian Water Company	Eligible	Eligible
5DV9795	4645 Williams St.	Adams Clock LLC/Mann Residence	Eligible	Eligible
5DV9801	4600 York St.	Stop-N-Shop Food Store	Eligible	Eligible
5DV9805	1630-32 E. 47th Ave.	E. G. Trading Post Business	Eligible	Eligible
5DV9821	4645 Franklin St.	The Security Realty Company Property	Eligible	Not Eligible
5DV9823	4675 Williams Street	Miller Residence	Eligible	Eligible
5DV9828	4665-69 Williams St.	Herzberg Property	Eligible	Eligible
5DV9966	4450 Adams St.	Yoshimura Residence	Eligible	Eligible
5DV9968	4460 Adams St.	McGee Residence	Eligible	Eligible
5DV9988	4715 Colorado Blvd.	General Motors Corporation-Goalie Construction	Eligible	Eligible
5DV9989	4800 Colorado Blvd.	4800 Colorado LLC/United States Rubber Co.	Eligible	Eligible
5DV9994	4515 Columbine St.	Gonzalez Residence	Eligible	Eligible
5DV9996	4653 Columbine St.	Tomas/Eagan Residence	Eligible	Eligible
5DV10003	4450 Cook St.	Vasquez Residence	Eligible	Eligible
5DV10013	4446 Fillmore St.	Guereca/Perez Residence	Eligible	Eligible



Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV10014	4453 Fillmore St.	Tenenbaum Residence	Eligible	Eligible
5DV10034	4668 High St.	Ponce Residence	Eligible	Eligible
5DV10040	4695 High St.	Garcia Residence	Eligible	Eligible
5DV10047	4701 Jackson St.	Core Power Construction/Buckley JD Inc.- Buckley Explosives of Wyoming	Eligible	Eligible
5DV10058	4707 Josephine St.	Huffman Residence	Eligible	Eligible
5DV10065	4461 Milwaukee St.	Lopez/Hartzell Residence	Eligible	Eligible
5DV10085	4662-4664 Williams St.	Allen Investment Group, Inc./Kretschmar Residence	Eligible	Eligible
5DV10086	4401 Race.	WG Pigg & Son Warehouse	Not Eligible	Not Eligible
5DV10124	4459 Thompson Ct.	Clay II LLC/Rosthan Residence	Eligible	Eligible
5DV10135	4679 Vine St.	Abrams/Loretto Residence	Eligible	Eligible
5DV11320	4630 Washington St.	Den-Col	N/A	Not Eligible
5DV11321	4530 Clayton St.	N/A	N/A	Not Eligible
5DV11322	4532 Clayton St.	N/A	N/A	Not Eligible

Notes:

N/A – Not Applicable

**Table 3: Eligibility Determinations of Resources within Alfred R. Wessel Historic District (5DV10126)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV5149	4690 Clayton St.	Avila/Procopio Residence	Contributing	Contributing
5DV9682	4600 Clayton St.	Casillas/Rosenberg Residence	Contributing	Contributing
5DV9683	4601 Clayton St.	Luchetta/Lyells Residence	Contributing	Contributing
5DV9684	4610 Clayton St.	Ramirez/Leaf Residence	Contributing	Contributing
5DV9685	4611 Clayton St.	Dady/Leaf Residence	Contributing	Contributing
5DV9686	4620 Clayton St.	Gonzalez-Cruz/Joachim Residence	Contributing	Contributing
5DV9687	4621 Clayton St.	Ortiz/Lucas Residence	Contributing	Contributing
5DV9688	4630 Clayton St.	Contreras/Showalter Residence	Contributing	Contributing
5DV9689	4631 Clayton St.	Chaires/Hogle Residence	Contributing	Contributing
5DV9690	4640 Clayton St.	Gorniak/Butcher Residence	Contributing	Contributing
5DV9691	4641 Clayton St.	AdamsClock LLC/Huttenhow Residence	Contributing	Contributing
5DV9692	4651 Clayton St.	Portales/Sullivan Residence	Contributing	Contributing
5DV9693	4661 Clayton St.	Portales/Hull Residence	Contributing	Contributing
5DV9694	4664 Clayton St.	Kouremenos/Clemman Residence	Contributing	Contributing
5DV9726	4610 Fillmore St.	Fletcher/Taylor Residence	Contributing	Contributing
5DV9727	4615 Fillmore St.	Fusco/Wilson Residence	Contributing	Contributing

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9728	4620 Fillmore St.	Mary Santa Cruz Trust/Wilson Residence	Contributing	Contributing
5DV9730	4630 Fillmore St.	Villarreal/Murray Residence	Contributing	Contributing
5DV9731	4635 Fillmore St.	Almendarez/Schuele Residence	Contributing	Contributing
5DV9732	4640 Fillmore St.	Almendarez/Huttenhow Residence	Contributing	Contributing
5DV9733	4645 Fillmore St.	Fuentes/Steidley Residence	Contributing	Contributing
5DV9734	4655 Fillmore St.	Baquero/Lambeau Residence	Contributing	Contributing
5DV9980	4670 Clayton St.	Villa/Crocker Residence	Contributing	Contributing
5DV9981	4671 Clayton St.	Rodriguez/Wayslow Residence	Contributing	Contributing
5DV9982	4680 Clayton St.	Arevalo/Williams Residence	Contributing	Contributing
5DV9983	4681 Clayton St.	Glasgow/Hinkley Residence	Contributing	Contributing
5DV9984	4685 Clayton St.	De La Cruz Flores/Callahan Residence	Contributing	Contributing
5DV9987	4694 Clayton St.	Villarreal/Kesson Residence	Contributing	Contributing
5DV10016	4650 Fillmore St.	Singer Trust/Linbery Residence	Contributing	Contributing
5DV10018	4665 Fillmore St.	Mares/Austin Residence	Contributing	Contributing
5DV10019	4670 Fillmore St.	Elliot/Rusch Residence	Contributing	Contributing
5DV10020	4675 Fillmore St.	Fusco/Moore Residence	Contributing	Contributing
5DV10022	4695 Fillmore St.	Salbenblatt/Scuddel Residence	Contributing	Contributing
5DV10023	4701 Fillmore St.	Almendariz/Rayburn Residence	Contributing	Contributing
5DV10097	4700 St. Paul Ct.	Hernandez/Miller Residence	Contributing	Contributing
5DV10098	4701 St. Paul Ct.	Simental de Garcia/Weber Residence	Contributing	Contributing
5DV10099	4705 St. Paul Ct.	Arrieta/France Residence	Contributing	Contributing
5DV10100	4710 St. Paul Ct.	Chacon/Fulton Residence	Contributing	Contributing
5DV10101	4715 St. Paul Ct.	Ruiz-A/Getty Residence	Contributing	Contributing
5DV10102	4720 St. Paul Ct.	Ornelas/Furns Residence	Contributing	Contributing
5DV10104	4730 St. Paul Ct.	Romero/Watts Residence	Contributing	Contributing
5DV10105	4735 St. Paul Ct.	Calderon/Bassett Residence	Contributing	Contributing
5DV10106	4740 St. Paul Ct.	Rodarte Family Trust/Goolsby Residence	Contributing	Contributing
5DV10108	4750 St. Paul Ct.	Velasquez/Hergert Residence	Contributing	Contributing
5DV10110	4760 St. Paul Ct.	Montelongo/Bundick Residence	Contributing	Contributing
5DV10112	4770 St. Paul Ct.	Montoya/Desilets Residence	Contributing	Contributing
5DV10115	4785 St. Paul Ct.	Galvan/Elmore Residence	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10116	4790 St. Paul Ct.	Montoya/McFaddin Residence	Contributing	Contributing
5DV10469	4650 Clayton St.	Pacheco/Aggus Residence	N/A	Contributing

Notes:

N/A – Not Applicable

**Table 4: Eligibility Determinations of Resources within National Western Historic District (5DV10050)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV3815	1325 E. 46 <sup>th</sup> Ave.	National Western Stadium Arena	Contributing	Contributing
5DV7058	N/A	I-70 Bridge over 46 <sup>th</sup> Ave. E-17-CJ	Field Not Eligible	Contributing
5DV9163	4701 Marion St.	Live Stock Exchange Building	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV9282/5 DV9162	1300 E.46th Ave.	Denver Coliseum	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10059	4699 Marion St.	K-M Building Café/ National Western Stock Show Coffee Shop	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10081	4701 Packing House Rd.	Neorama Property	Contributing	Contributing
5DV10082	4747 National Western Dr.	McConnell Welders	Contributing	Contributing
5DV10447	1325 E. 46 <sup>th</sup> Ave.	Livestock Bridge and Flyover	Contributing	Contributing

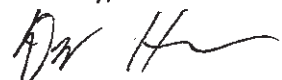
Notes:

N/A – Not Applicable

The Section 106 eligibility determinations are being forwarded concurrently to Mr. Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. As an organization with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 6 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
fo Elizabeth Kemp-Herrera

Region 6 Planning and Environmental Manager

cc: Kirk Webb, Project Manager, CDOT Region 6  
Pinyon Environmental, Inc.

Attachments: Cultural Resource Survey Forms

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222  
(303) 757-9385  
(303) 757-9036 FAX



April 26, 2013

Ms. Savannah Jameson  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave., Dept. 205  
Denver, CO 80202

**SUBJECT:** Eligibility Determinations, I-70 East Corridor Supplemental Draft Environmental  
Impact Statement Re-evaluation, Denver County and Adams County (CHS  
#41831)

Dear Ms. Jameson:

This letter and attached documents constitute a request for comments on Determinations of National Register of Historic Places (NRHP) and State Register of Historic Places (SRHP) Eligibility for the project referenced above. The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The intent of the EIS is to identify potential highway improvements along Interstate 70 (I-70) in the Denver metropolitan area between Interstate 25 (I-25) and Tower Road and to assess their potential effects on the human and natural environment.

Analysis began in June 2003 as part of the I-70 East Corridor EIS. A Draft EIS was published in November of 2008. As of a consultation meeting held March 2, 2009, CDOT decided to conduct the Section 106 consultation independently of the NEPA process. This decision was outlined in the determinations of eligibility published in January 2010. Since more than four years have passed since the 2008 Draft EIS was initially published, many federal and state regulations and requirements have changed. Additional analysis and public involvement efforts were performed to determine the validity of the alternatives that were considered reasonable alternatives in the Draft EIS. Based on public comments, the additional analysis, and the collaborative process brought about by the Preferred Alternative Collaborative Team (PACT), the project team determined that the Realignment Alternatives are no longer reasonable. Consequently, a new alternative option was designed to address the public concerns and incorporate their comments. Due to the changes in the alternatives, outdated census data, and new federal and state laws and regulations, the analysis in the 2008 Draft EIS was revisited and CDOT and FHWA will publish a Supplemental Draft EIS in summer 2013.

As part of this process, CDOT is re-evaluating the historic significance of eligible and listed properties within the corridor as well as evaluating those properties constructed in 1965 or earlier that were not previously surveyed. Properties constructed after 1965 may be surveyed in conjunction with the Final EIS.



The potential effects to historic properties will be evaluated using updated designs for the alternatives studied in the 2008 DIES and Supplemental Draft EIS. This correspondence only relates to eligibility determinations. Correspondence relating to effects determinations will be provided at a later date. Dianna Litvak, Jennifer Wahlers, and Liz Walker of Pinyon Environmental, Inc. (Pinyon), completed the cultural resources documentation and eligibility determinations in 2012-2013.

### **Project Description**

Currently, I-70 between I-25 and Tower Road is one of the most congested and heavily traveled highway corridors in the state. The purpose of the project is to implement a transportation solution that improves safety, access, and mobility and addresses congestion on I-70. In addition, the I-70 viaduct is nearing the end of its expected lifetime. CDOT recently finished repairs on the viaduct, but the repairs will only extend the life of the structure by 15 to 20 years. After that, any major repairs on the structure will be cost prohibitive; therefore, it is critical to make a decision on replacing the structure to address safety issues and future traffic demand.

### **Area of Potential Effects**

A revised Area of Potential Effects (APE) was submitted to the State Historic Preservation Officer (SHPO) in correspondence dated December 27, 2012. In a response dated January 4, 2013, SHPO concurred with the recommended APE. Responses were also received from Historic Denver Inc., Denver Landmark Preservation, and Fairmount Heritage Foundation, in the capacity of consulting parties. No concerns or objections were raised by these consulting parties.

### **File and Assessor's Search Results**

Jen Wahlers and Liz Walker completed COMPASS and assessor searches of the revised APE. The COMPASS search identified:

- 117 resources noted as officially individually eligible, supporting segments of a linear resource, or contributing to an historic district located within the APE. These resources were surveyed as part of the original Draft EIS. Upon review of project correspondence with SHPO connected to the Draft EIS, it was found that several of the resources listed as eligible or contributing in COMPASS were actually determined officially not eligible per correspondence dated September 19, 2007.
- Three resources noted as "needs data" or lacking an official determination. Upon further review of the September 19, 2007, correspondence with SHPO, two of these resources were determined officially not eligible but were incorrectly entered into COMPASS. Only one of these resources (5DV9468) was actually "needs data."
- Three resources were entered in COMPASS as officially not eligible when in fact they were determined officially eligible per the same SHPO correspondence.
- Four districts that were previously identified in the APE and determined officially eligible: the National Western District (5DV10050), the Safeway Distribution Center (5DV9232), the Alfred R. Wessel Historic District (5DV10126), and Riverside Cemetery (5AM125).
- Six previously surveyed linear resources were located in the revised APE.

The resources with conflicting COMPASS entries are listed in the table below (Table 1).

**Table 1: Inaccurate COMPASS Entries**

<b>Site Number</b>	<b>Resource Name</b>	<b>COMPASS Eligibility Listing</b>	<b>Actual Eligibility Determination per SHPO correspondence dated 9/19/07</b>
5DV9676	Pasillas Residence	Eligible- Officially	Not Eligible
5DV9687	Ortiz/Lucas Residence	Needs-Data Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV9699	Limon Residence	Eligible-Officially	Not Eligible
5DV9712	Foiani Residence	Eligible- Officially	Not Eligible
5DV9715	Torres Residence	Eligible-Officially	Not Eligible
5DV9721	Valles Residence	Eligible- Officially	Not Eligible
5DV9757	Quinonez Residence	Eligible-Officially	Not Eligible
5DV9763	Jaszczyk Residence	Eligible- Officially	Not Eligible
5DV9781	Mirelez Residence	Eligible- Officially	Not Eligible
5DV9966	Yoshimura Residence	Not Eligible- Officially	Eligible
5DV10023	Almendariz/Rayburn Residence	Needs Data- Officially	Contributing to Alfred R. Wessel Historic District (5DV10126)
5DV10040	Garcia Residence	Not Eligible- Officially	Eligible
5DV10065	Lopez/Hartzell Residence	Not Eligible- Officially	Eligible
5DV10086	WG Pigg & Son Warehouse	Needs Data- Officially	Not Eligible

The Assessor's search identified three properties that were over fifty-years old during the original I-70 East EIS study, but were inadvertently excluded from the previous survey. It also indicated one property with a building constructed between 1963 and 1965, and therefore not surveyed in the original survey effort but falling within the age range for study under the current Supplemental Draft EIS.

#### **Methodology**

Historians from Pinyon completed OAHP standard Re-visitation Forms (1405) for all resources identified in the previous survey effort and determined officially eligible or contributing to an historic district, and located within the current APE. Those resources that were incorrectly entered in COMPASS and were actually determined officially not eligible or non-contributing were not re-evaluated. After conversations with SHPO, it was determined that some of the earlier site numbers were incorrect, or the original survey forms were incomplete. Full Architectural Inventory Forms (1403) were completed for those resources when requested and the discrepancy in site numbers is noted on the new form. Full Architectural Inventory Forms were also completed for those resources that were missed during the previous survey effort, and the one property that dates between 1965 and 1963.

Under the previous survey effort, buildings within the Safeway Distribution Center Historic District (5DV9232) were recorded as separate resources with distinct site numbers. When entered into COMPASS, SHPO chose to discard the individual site numbers for each resource and record them all as features under one site number- 5DV9232. The re-visitation form completed under this survey effort followed the organization established by SHPO, using 5DV9232 and labeling all buildings within the resource boundary as features.

Two of the boundaries for the previously surveyed linear resources were augmented under this survey effort because of a slight change to the APE boundary. For those resources, which include the Union Pacific Beltline Railroad Segment (5AM2083.1) and the Chicago Burlington & Quincy Segment (5DV6247.3), full Management Data Forms (1400) and Linear Component Forms (1418) were completed to record the additional length. Although the Highline Canal is in the current APE, the proposed alternatives will have no impacts to the canal, either directly or indirectly; therefore, a re-visitation form for the resource was not completed and it is not included in this consultation.

Twenty-three bridges are located within the APE. Only 12 of those structures were built in 1965 or earlier, and only one bridge is not covered by the Section 106 Exemption for the Interstate Highway System. TranSystems completed Historic Bridge Site Forms under the latest CDOT Historic Bridge Inventory project for the bridge that requires an official eligibility determination, E-17-Z (5DV7062), which has been recommended as field not eligible. Consultation on this bridge has not yet occurred as part of that effort. The form is being submitted to obtain an official eligibility determination.

In total, 121 resources were surveyed as part of the Supplemental Draft EIS Re-evaluation effort.

#### **Eligibility Determinations for Properties Surveyed**

Tables 2, 3 and 4 summarize the eligibility recommendations for the resources re-evaluated as part of the Supplemental Draft EIS.

**Table 2: Eligibility Determinations**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5AM125	5201 Brighton Blvd.	Riverside Cemetery	Listed	Listed
5AM1298.2	N/A	Market Street Railroad/Chicago Burlington & Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5AM2083.1	N/A	Union Pacific Beltline Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV1172	4673 Josephine St.	Hovan/Pazola Residence	Eligible	Eligible
5DV1247	4681-4683 Baldwin Ct.	Kosik Residence	Eligible	Eligible
5DV5623	4696 Josephine St.	Lovato Residence	Eligible	Eligible
5DV5677	4632 Josephine St	Miranda/Taylor Residence	Eligible	Eligible
5DV6247.3	N/A	Chicago, Burlington and Quincy Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV6248.4	N/A	Union Pacific Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7048.2	N/A	Rocky Mountain Arsenal Railroad Segment	Eligible-Supporting	Eligible-Supporting
5DV7062	N/A	UPRR Bridge over 46 <sup>th</sup> Ave. E-17-Z	Field Not Eligible	Not Eligible
5DV7130	2615 East 46th Ave.	Colonial Manor Tourist Court	Eligible	Eligible
5DV9227	3600 E. 48th Ave.	Tri-R Recycling	Eligible	Eligible
5DV9231	4300 Holly St.	Univar	Eligible	Eligible
5DV9232	4200 E. 46th Ave.	Safeway Distribution Center	Eligible	Eligible

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9245	2151 E. 45th Ave.	Ralston- Purina Plant/ Nestle Purina Petcare Company	Eligible	Eligible
5DV9468	4502 Wynkoop St.	Reed Mill & Lumber Col.	Needs Data	Not Eligible
5DV9655	2381 E. 46th Ave.	Sanchez Residence	Eligible	Eligible
5DV9660	4656 Baldwin Ct	Torres Residence	Eligible	Eligible
5DV9667	4637 Claude Ct.	Brown-Alarid Residence	Eligible	Eligible
5DV9668	4639 Claude Ct.	Toth/Kelly Residence	Eligible	Eligible
5DV9678	4539 Clayton St.	Rodriguez Residence	Eligible	Eligible
5DV9679	4541 Clayton St.	4541 Clayton LLC Residence	Eligible	Eligible
5DV9705	4631 Columbine St.	Castorena/Braswell Residence	Eligible	Eligible
5DV9706	4633 Columbine St.	Pavon Residence	Eligible	Eligible
5DV9714	4503 Fillmore St.	Olive Street LLC Residence	Eligible	Eligible
5DV9735	4618 High St.	Rudy/Bernal Residence	Eligible	Eligible
5DV9742	4502 Josephine St.	Langenberg Residence	Eligible	Eligible
5DV9745	4529 Josephine St.	Kenworthy/Wyckoff Residence	Eligible	Eligible
5DV9746	4608 Columbine St.	Portales Residence	Eligible	Eligible
5DV9748	4628 Josephine St.	Chavez Residence	Eligible	Eligible
5DV9751	4647 Josephine St.	Waggoner Residence	Eligible	Eligible
5DV9753	4651 Josephine St.	James Residence	Eligible	Eligible
5DV9761	4681 Josephine St.	Krutzler/Barajas Residence	Eligible	Eligible
5DV9762	4682 Josephine St.	Geo Trust/Araujo Residence	Eligible	Eligible
5DV9780	4617-4625 Race St.	Garcia Residence	Eligible	Eligible
5DV9787	4623-4625 Thompson Ct.	Portales Residence/Windsor Artesian Water Company	Eligible	Eligible
5DV9795	4645 Williams St.	Adams Clock LLC/Mann Residence	Eligible	Eligible
5DV9801	4600 York St.	Stop-N-Shop Food Store	Eligible	Eligible
5DV9805	1630-32 E. 47th Ave.	E. G. Trading Post Business	Eligible	Eligible
5DV9821	4645 Franklin St.	The Security Realty Company Property	Eligible	Not Eligible
5DV9823	4675 Williams Street	Miller Residence	Eligible	Eligible
5DV9828	4665-69 Williams St.	Herzberg Property	Eligible	Eligible
5DV9966	4450 Adams St.	Yoshimura Residence	Eligible	Eligible
5DV9968	4460 Adams St.	McGee Residence	Eligible	Eligible
5DV9988	4715 Colorado Blvd.	General Motors Corporation-Goalie Construction	Eligible	Eligible
5DV9989	4800 Colorado Blvd.	4800 Colorado LLC/United States Rubber Co.	Eligible	Eligible
5DV9994	4515 Columbine St.	Gonzalez Residence	Eligible	Eligible
5DV9996	4653 Columbine St.	Tomas/Eagan Residence	Eligible	Eligible
5DV10003	4450 Cook St.	Vasquez Residence	Eligible	Eligible
5DV10013	4446 Fillmore St.	Guereca/Perez Residence	Eligible	Eligible



Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV10014	4453 Fillmore St.	Tenenbaum Residence	Eligible	Eligible
5DV10034	4668 High St.	Ponce Residence	Eligible	Eligible
5DV10040	4695 High St.	Garcia Residence	Eligible	Eligible
5DV10047	4701 Jackson St.	Core Power Construction/Buckley JD Inc.- Buckley Explosives of Wyoming	Eligible	Eligible
5DV10058	4707 Josephine St.	Huffman Residence	Eligible	Eligible
5DV10065	4461 Milwaukee St.	Lopez/Hartzell Residence	Eligible	Eligible
5DV10085	4662-4664 Williams St.	Allen Investment Group, Inc./Kretschmar Residence	Eligible	Eligible
5DV10086	4401 Race.	WG Pigg & Son Warehouse	Not Eligible	Not Eligible
5DV10124	4459 Thompson Ct.	Clay II LLC/Rosthan Residence	Eligible	Eligible
5DV10135	4679 Vine St.	Abrams/Loretto Residence	Eligible	Eligible
5DV11320	4630 Washington St.	Den-Col	N/A	Not Eligible
5DV11321	4530 Clayton St.	N/A	N/A	Not Eligible
5DV11322	4532 Clayton St.	N/A	N/A	Not Eligible

Notes:

N/A – Not Applicable

**Table 3: Eligibility Determinations of Resources within Alfred R. Wessel Historic District (5DV10126)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV5149	4690 Clayton St.	Avila/Procopio Residence	Contributing	Contributing
5DV9682	4600 Clayton St.	Casillas/Rosenberg Residence	Contributing	Contributing
5DV9683	4601 Clayton St.	Luchetta/Lyells Residence	Contributing	Contributing
5DV9684	4610 Clayton St.	Ramirez/Leaf Residence	Contributing	Contributing
5DV9685	4611 Clayton St.	Dady/Leaf Residence	Contributing	Contributing
5DV9686	4620 Clayton St.	Gonzalez-Cruz/Joachim Residence	Contributing	Contributing
5DV9687	4621 Clayton St.	Ortiz/Lucas Residence	Contributing	Contributing
5DV9688	4630 Clayton St.	Contreras/Showalter Residence	Contributing	Contributing
5DV9689	4631 Clayton St.	Chaires/Hogle Residence	Contributing	Contributing
5DV9690	4640 Clayton St.	Gorniak/Butcher Residence	Contributing	Contributing
5DV9691	4641 Clayton St.	AdamsClock LLC/Huttenhow Residence	Contributing	Contributing
5DV9692	4651 Clayton St.	Portales/Sullivan Residence	Contributing	Contributing
5DV9693	4661 Clayton St.	Portales/Hull Residence	Contributing	Contributing
5DV9694	4664 Clayton St.	Kouremenos/Clemman Residence	Contributing	Contributing
5DV9726	4610 Fillmore St.	Fletcher/Taylor Residence	Contributing	Contributing
5DV9727	4615 Fillmore St.	Fusco/Wilson Residence	Contributing	Contributing

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV9728	4620 Fillmore St.	Mary Santa Cruz Trust/Wilson Residence	Contributing	Contributing
5DV9730	4630 Fillmore St.	Villarreal/Murray Residence	Contributing	Contributing
5DV9731	4635 Fillmore St.	Almendarez/Schuele Residence	Contributing	Contributing
5DV9732	4640 Fillmore St.	Almendarez/Huttenhow Residence	Contributing	Contributing
5DV9733	4645 Fillmore St.	Fuentes/Steidley Residence	Contributing	Contributing
5DV9734	4655 Fillmore St.	Baquero/Lambeau Residence	Contributing	Contributing
5DV9980	4670 Clayton St.	Villa/Crocker Residence	Contributing	Contributing
5DV9981	4671 Clayton St.	Rodriguez/Wayslow Residence	Contributing	Contributing
5DV9982	4680 Clayton St.	Arevalo/Williams Residence	Contributing	Contributing
5DV9983	4681 Clayton St.	Glasgow/Hinkley Residence	Contributing	Contributing
5DV9984	4685 Clayton St.	De La Cruz Flores/Callahan Residence	Contributing	Contributing
5DV9987	4694 Clayton St.	Villarreal/Kesson Residence	Contributing	Contributing
5DV10016	4650 Fillmore St.	Singer Trust/Linbery Residence	Contributing	Contributing
5DV10018	4665 Fillmore St.	Mares/Austin Residence	Contributing	Contributing
5DV10019	4670 Fillmore St.	Elliot/Rusch Residence	Contributing	Contributing
5DV10020	4675 Fillmore St.	Fusco/Moore Residence	Contributing	Contributing
5DV10022	4695 Fillmore St.	Salbenblatt/Scuddele Residence	Contributing	Contributing
5DV10023	4701 Fillmore St.	Almendariz/Rayburn Residence	Contributing	Contributing
5DV10097	4700 St. Paul Ct.	Hernandez/Miller Residence	Contributing	Contributing
5DV10098	4701 St. Paul Ct.	Simental de Garcia/Weber Residence	Contributing	Contributing
5DV10099	4705 St. Paul Ct.	Arrieta/France Residence	Contributing	Contributing
5DV10100	4710 St. Paul Ct.	Chacon/Fulton Residence	Contributing	Contributing
5DV10101	4715 St. Paul Ct.	Ruiz-A/Getty Residence	Contributing	Contributing
5DV10102	4720 St. Paul Ct.	Ornelas/Furns Residence	Contributing	Contributing
5DV10104	4730 St. Paul Ct.	Romero/Watts Residence	Contributing	Contributing
5DV10105	4735 St. Paul Ct.	Calderon/Bassett Residence	Contributing	Contributing
5DV10106	4740 St. Paul Ct.	Rodarte Family Trust/Goolsby Residence	Contributing	Contributing
5DV10108	4750 St. Paul Ct.	Velasquez/Hergert Residence	Contributing	Contributing
5DV10110	4760 St. Paul Ct.	Montelongo/Bundick Residence	Contributing	Contributing
5DV10112	4770 St. Paul Ct.	Montoya/Desilets Residence	Contributing	Contributing
5DV10115	4785 St. Paul Ct.	Galvan/Elmore Residence	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10116	4790 St. Paul Ct.	Montoya/McFaddin Residence	Contributing	Contributing
5DV10469	4650 Clayton St.	Pacheco/Aggus Residence	N/A	Contributing

Notes:

N/A – Not Applicable

**Table 4: Eligibility Determinations of Resources within National Western Historic District (5DV10050)**

Site Number	Resource Address	Resource Name	Previous Eligibility Determination	2013 Eligibility Recommendation
5DV3815	1325 E. 46 <sup>th</sup> Ave.	National Western Stadium Arena	Contributing	Contributing
5DV7058	N/A	I-70 Bridge over 46 <sup>th</sup> Ave. E-17-CJ	Field Not Eligible	Contributing
5DV9163	4701 Marion St.	Live Stock Exchange Building	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV9282/5 DV9162	1300 E. 46th Ave.	Denver Coliseum	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10059	4699 Marion St.	K-M Building Café/ National Western Stock Show Coffee Shop	Individually Eligible/Contributing	Individually Eligible/Contributing
5DV10081	4701 Packing House Rd.	Neorama Property	Contributing	Contributing
5DV10082	4747 National Western Dr.	McConnell Welders	Contributing	Contributing
5DV10447	1325 E. 46 <sup>th</sup> Ave.	Livestock Bridge and Flyover	Contributing	Contributing

Notes:

N/A – Not Applicable

The Section 106 eligibility determinations are being forwarded concurrently to Mr. Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the SHPO's response once it is received.

Thank you in advance for your prompt attention to this matter. As a local government with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at [www.achp.gov](http://www.achp.gov). If you have questions or require additional information, please contact CDOT Region 6 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Elizabeth Kemp-Herrera  
Region 6 Planning and Environmental Manager

cc: Kirk Webb, Project Manager, CDOT Region 6  
Pinyon Environmental, Inc.

Attachments: Cultural Resource Survey Forms

**Attachment I – Appendix M**  
**Correspondence from SHPO to CDOT,**  
**May 28, 2013**







May 28, 2013

Elizabeth Kemp-Herra  
Region 6 Planning and Environmental Manager  
Colorado Department of Transportation  
2000 South Holly Street  
Denver, CO 80222

Re: Eligibility Determinations, I-70 East Corridor Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Kemp-Herra,

Thank you for your correspondence dated and received on April 26, 2013 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the provided information, we concur with the recommended findings of National Register eligibility for the resources listed below.

- |                         |            |                         |
|-------------------------|------------|-------------------------|
| • 5DV.7062 <sup>①</sup> | • 5DV.9762 | • 5DV.9731              |
| • 5DV.1247 ✓            | • 5DV.9787 | • 5DV.9732              |
| • 5DV.9660 ✓            | • 5DV.9996 | • 5DV.9734              |
| • 5DV.9795 ✓            | • 5DV.5149 | • 5DV.10016             |
| • 5DV.9805 ✓            | • 5DV.9682 | • 5DV.10018             |
| • 5DV.9823 ✓            | • 5DV.9683 | • 5DV.10019             |
| • 5DV.9828 ✓            | • 5DV.9684 | • 5DV.10020             |
| • 5DV.10085 ✓           | • 5DV.9685 | • 5DV.10022             |
| • 5DV.9655 ✓            | • 5DV.9687 | • 5DV.9678              |
| • 5DV.9667 ✓            | • 5DV.9688 | • 5DV.9679 ✓            |
| • 5DV.9668 ✓            | • 5DV.9689 | • 5DV.9714              |
| • 5DV.9735 ✓            | • 5DV.9690 | • 5DV.9742              |
| • 5DV.9753 ✓            | • 5DV.9691 | • 5DV.9745              |
| • 5DV.9761 ✓            | • 5DV.9692 | • 5DV.9994              |
| • 5DV.9780 ✓            | • 5DV.9693 | • 5DV.9227              |
| • 5DV.9801 ✓            | • 5DV.9694 | • 5DV.9232 <sup>②</sup> |
| • 5DV.10034 ✓           | • 5DV.9980 | • 5DV.9988              |
| • 5DV.10040 ✓           | • 5DV.9981 | • 5DV.10047             |
| • 5DV.5623 ✓            | • 5DV.9982 | • 5DV.9231              |
| • 5DV.5677 ✓            | • 5DV.9983 | • 5DV.10097             |
| • 5DV.7130 ✓            | • 5DV.9984 | • 5DV.10098             |
| • 5DV.9705 ✓            | • 5DV.9987 | • 5DV.10099             |
| • 5DV.9706 ✓            | • 5DV.9726 | • 5DV.10100             |
| • 5DV.9746 ✓            | • 5DV.9727 | • 5DV.10101             |
| • 5DV.9748 ✓            | • 5DV.9728 | • 5DV.10102             |

- 5DV.10104
- 5DV.10105
- 5DV.10106
- 5DV.10108
- 5DV.10110
- 5DV.10112
- 5DV.10115
- 5DV.10116
- 5DV.9468 (?)
- 5DV.11320 (?)
- 5DV.11321 (?)
- 5DV.11322 (?)
- 5AM.125
- 5AM.1298.2
- 5AM.2083.1
- 5DV.6247.3
- 5DV.6248.4
- 5DV.7048.2
- 5DV.9165 (?)
- 5DV.9730
- 5DV.9733
- 5DV.9751 (?)
- 5DV.9821 (?)
- 5DV.9966
- 5DV.9968
- 5DV.9989
- 5DV.10003
- 5DV.10013
- 5DV.10014
- 5DV.10023
- 5DV.10058
- 5DV.10065
- 5DV.10081
- 5DV.10082
- 5DV.10124
- 5DV.10135
- 5DV.10469
- 5DV.9282
- 5DV.10059
- 5DV.10447
- 5DV.9245
- 5DV.10086

We have additional questions in regards to the resources listed below.

- 5DV.3815. This resource received an official determination of contributes to an eligible historic district on December 19, 2007. The submitted survey form states this finding under item 10, but "Not Eligible" is marked. In our opinion, the resource contributes to an eligible historic district and should then be considered eligible.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

  
Edward C. Nichols  
State Historic Preservation Officer

**Attachment I – Appendix N**  
**Correspondence from CDOT to SHPO**  
**and Consulting Parties**  
**July 29, 2014**







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

July 29, 2014

Mr. Edward C. Nichols  
State Historic Preservation Officer  
History Colorado  
1200 Broadway  
Denver, CO 80203

SUBJECT: Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Nichols:

This letter and the enclosed effects report constitute a request for concurrence with the determinations of effects described within for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The APE for the project was agreed upon in correspondence from your office dated January 4, 2013, November 7, 2013, and February 14, 2014 which addressed revisions to the APE. Your office concurred with eligibility determinations for each resource in correspondence dated May 28, 2013, November 7, 2013, and January 7, 2014.

The enclosed effects report analyzes the effects to eligible historic resources within the APE—direct, indirect, and cumulative—for each of the three project alternatives: No-Action Alternative (North and South Options), Revised Viaduct Alternative (North and South Options), Partial Cover Lowered Alternative (Basic and Modified Options). As additional engineering is completed, more information will be known about impacts to these resources. If the impacts are different from those discussed in the enclosed report, those changes will be reflected in supplemental Section 106 correspondence with your office and the consulting parties.

We request your concurrence with these determinations of effects to comply with Section 106 of the National Historic Preservation Act of 1966 as amended; the National Environmental Policy Act (NEPA) of 1969, as amended; and the U.S. Department of Transportation Act of 1966, as amended. This information has been forwarded concurrently to the City of Denver Landmark Preservation Commission, Historic Denver Inc., Colorado Preservation Inc., and the Fairmount Heritage Foundation for review; we will inform you of any comments they elect to submit.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

Charles Attardo  
Region 1 Planning and Environmental Manager

Mr. Nichols  
July 29, 2014  
Page 2

Attachments:    Effects Determination Report

Cc:        Kirk Webb, CDOT Region 1 Project Manager  
             Ashley L. Bushey, CDOT Region 1 Historian  
             Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)



**COLORADO**

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

July 29, 2014

Mr. John Olson, Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Olson:

This letter and the enclosed effects report constitute a request for comment with the determinations of effects described within for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The APE for the project was agreed upon in correspondence from your office dated January 4, 2013, November 7, 2013, and February 14, 2014 which addressed revisions to the APE. SHPO concurred with eligibility determinations for each resource in correspondence dated May 28, 2013, November 7, 2013, and January 7, 2014. Historic Denver, Inc. was an active consulting party in each of these consultations.

The enclosed effects report analyzes the effects to eligible historic resources within the APE—direct, indirect, and cumulative—for each of the three project alternatives: No-Action Alternative (North and South Options), Revised Viaduct Alternative (North and South Options), Partial Cover Lowered Alternative (Basic and Modified Options). As additional engineering is completed, more information will be known about impacts to these resources. If the impacts are different from those discussed in the enclosed report, those changes will be reflected in supplemental Section 106 correspondence with your office and the consulting parties.

We request your concurrence with these determinations of effects to comply with Section 106 of the National Historic Preservation Act of 1966 as amended; the National Environmental Policy Act (NEPA) of 1969, as amended; and the U.S. Department of Transportation Act of 1966, as amended. The effects determinations are being forwarded concurrently to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the response from SHPO once it is received.

Thank you in advance for your prompt attention to this matter. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).



Mr. Olson  
July 29, 2014  
Page 2

Sincerely,

  
f. Charles Attardo

Region 1 Planning and Environmental Manager

Attachments: Effects Determination Report

Cc: Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)



**COLORADO**

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

July 29, 2014

Ms. Patricia A. Carmody  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Ms. Carmody:

This letter and the enclosed effects report constitute a request for comment with the determinations of effects described within for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The APE for the project was agreed upon in correspondence from your office dated January 4, 2013, November 7, 2013, and February 14, 2014 which addressed revisions to the APE. SHPO concurred with eligibility determinations for each resource in correspondence dated May 28, 2013, November 7, 2013, and January 7, 2014. The Fairmount Heritage Foundation was an active consulting party in each of these consultations.

The enclosed effects report analyzes the effects to eligible historic resources within the APE—direct, indirect, and cumulative—for each of the three project alternatives: No-Action Alternative (North and South Options), Revised Viaduct Alternative (North and South Options), Partial Cover Lowered Alternative (Basic and Modified Options). As additional engineering is completed, more information will be known about impacts to these resources. If the impacts are different from those discussed in the enclosed report, those changes will be reflected in supplemental Section 106 correspondence with your office and the consulting parties.

We request your concurrence with these determinations of effects to comply with Section 106 of the National Historic Preservation Act of 1966 as amended; the National Environmental Policy Act (NEPA) of 1969, as amended; and the U.S. Department of Transportation Act of 1966, as amended. The effects determinations are being forwarded concurrently to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the response from SHPO once it is received.

Thank you in advance for your prompt attention to this matter. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Ms. Carmody

July 29, 2014

Page 2

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Attardo", is written over the printed name.

Charles Attardo

Region 1 Planning and Environmental Manager

Attachments: Effects Determination Report

Cc: Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

July 29, 2014

Ms. Jane Daniels, Director  
Colorado Preservation, Inc.  
1420 Odgen Street, Suite 103  
Denver, CO 80218

SUBJECT: Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Ms. Daniels:

This letter and the enclosed effects report constitute a request for comment with the determinations of effects described within for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The APE for the project was agreed upon in correspondence from your office dated January 4, 2013, November 7, 2013, and February 14, 2014 which addressed revisions to the APE. SHPO concurred with eligibility determinations for each resource in correspondence dated May 28, 2013, November 7, 2013, and January 7, 2014. The Colorado Preservation, Inc. was an active consulting party in each of these consultations.

The enclosed effects report analyzes the effects to eligible historic resources within the APE—direct, indirect, and cumulative—for each of the three project alternatives: No-Action Alternative (North and South Options), Revised Viaduct Alternative (North and South Options), Partial Cover Lowered Alternative (Basic and Modified Options). As additional engineering is completed, more information will be known about impacts to these resources. If the impacts are different from those discussed in the enclosed report, those changes will be reflected in supplemental Section 106 correspondence with your office and the consulting parties.

We request your concurrence with these determinations of effects to comply with Section 106 of the National Historic Preservation Act of 1966 as amended; the National Environmental Policy Act (NEPA) of 1969, as amended; and the U.S. Department of Transportation Act of 1966, as amended. The effects determinations are being forwarded concurrently to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the response from SHPO once it is received.

Thank you in advance for your prompt attention to this matter. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).



Ms. Daniels  
July 29, 2014  
Page 2

Sincerely,



to Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments: Effects Determination Report

Cc: Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

July 29, 2014

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

SUBJECT: Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Gause:

This letter and the enclosed effects report constitute a request for comment with the determinations of effects described within for the Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The APE for the project was agreed upon in correspondence from your office dated January 4, 2013, November 7, 2013, and February 14, 2014 which addressed revisions to the APE. SHPO concurred with eligibility determinations for each resource in correspondence dated May 28, 2013, November 7, 2013, and January 7, 2014. The Denver Landmark Preservation Commission was an active consulting party in each of these consultations.


The enclosed effects report analyzes the effects to eligible historic resources within the APE—direct, indirect, and cumulative—for each of the three project alternatives: No-Action Alternative (North and South Options), Revised Viaduct Alternative (North and South Options), Partial Cover Lowered Alternative (Basic and Modified Options). As additional engineering is completed, more information will be known about impacts to these resources. If the impacts are different from those discussed in the enclosed report, those changes will be reflected in supplemental Section 106 correspondence with your office and the consulting parties.

We request your concurrence with these determinations of effects to comply with Section 106 of the National Historic Preservation Act of 1966 as amended; the National Environmental Policy Act (NEPA) of 1969, as amended; and the U.S. Department of Transportation Act of 1966, as amended. The effects determinations are being forwarded concurrently to Edward C. Nichols, Colorado State Historic Preservation Officer (SHPO) for concurrence. We will forward the response from SHPO once it is received.

Thank you in advance for your prompt attention to this matter. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Mr. Gause  
July 29, 2014  
Page 2

Sincerely,



Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments: Effects Determination Report

Cc: Kirk Webb, CDOT Region 1 Project Manager  
Ashley L. Bushey, CDOT Region 1 Historian  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

**Attachment I – Appendix O**  
**Correspondence from SHPO to CDOT**  
**September 23, 2014**







September 23, 2014

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated July 29, 2014 and received on August 7, 2014 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the provided information and assessment of adverse effect, we concur with the recommended findings except for the resources listed below.

- 5DV.10050, including 5DV.3815, 5DV.9162 [5DV.9282], 5DV.10059, 5DV.10060 [5DV.9162], 5DV.10081, 5DV.10082, and 5DV.10447)
  - No-Action Alternative, North Option: The narrative states that because the Denver Coliseum/5DV.9162 is 800 feet west of the portion of the viaduct that would be replace it would not be indirectly affected. Why is 800 feet determined for this evaluation?
  - No-Action Alternative, South Option: See above.
  - Revised Viaduct Alternative, North Option: Why has 800 feet been accepted by CDOT as being a distance in which indirect effects are not considered?
  - Revised Viaduct Alternative, South Option: See above.
  - Partial Cover Lowered Alternative: In this alternative, the work is to be 360 feet away from the historic district and not visible. As with the 800 feet marker, please provide more information on why these distances have been determined.
- 5DV.1247
  - No-Action Alternative, North Option: The narrative states that the viaduct widening would “slightly” move closer to this resource. The narrative does not state how far the current viaduct is from this resource. We are not able to fully evaluate the movement of the new viaduct without understanding how close the current viaduct is to the resource. Please provide more information on the current distance of the viaduct from this property. Please note that modern visual or auditory elements outside of a historic property may lessen the integrity of the historic setting outside of the historic property’s boundary, but the setting within the historic property’s boundary is intact. Also, the lessening of the integrity of the historic setting does not negate the introduction of new visual or auditory elements from this project.

Attention must also be given to how much integrity is being lost with the cumulative addition of the CDOT project.

- No-Action Alternative, South Option: See above.
  - Revised Viaduct Alternative, North Option: The narrative states that the highway will remain in its current location, but be widened to the north by approximately 250 feet. We are not able to fully evaluate the movement of the new viaduct towards the resource without understanding how close the current viaduct is to the resource. Please provide more information on the current distance of the highway to this resource. This distance is critical in understanding how close the 12- to 14- foot noise walls will be to the historic setting within this property. Modern visual intrusions have occurred outside the historic boundary for this resource, but the addition of a 12- to 14-foot noise wall next to the property may diminish the historic setting of this property, whether or not the current historic setting is described as poor.
  - Revised Viaduct Alternative, South Option: See above.
  - Partial Cover Lowered Alternative: The narrative states that the roadway will move 350 feet closer to this resource. What is the current footage distance from the highway to the resource? How close will the highway be to the property historic boundary?
- 5DV.9660
    - No-Action Alternative, North Option: The narrative states that the proposed viaduct would be 300 feet from this resource and that no indirect effects are expected. Why are no indirect effects expected within 300 feet?
    - No-Action Alternative, South Option: See above.
    - Revised Viaduct Alternative, North Option: The narratives states that the highway would be widened and move approximately 275 feet closer to this property. Without knowing the current distance of the highway from this property, it is difficult to determine if moving 275 feet closer is an adverse effect. Please provide more information on the current distance. In our opinion, the addition of 12- to 14-foot noise walls may be an adverse effect. Modern visual intrusions have occurred outside the historic boundary for this resource, but the addition of a 12- to 14-foot noise walls next to the property may diminish the historic setting of this property, whether or not the current historic setting is described as poor. How close will the noise walls be to the historic boundary of this property?
    - Revised Viaduct Alternative, South Option: See above.
    - Partial Cover Lowered Alternative: The narrative states that the roadway will move 275 feet closer to this resource. What is the current footage distance from the highway to the resource? How close will the highway be to the property's historic boundary?
- 5DV.9735
    - No-Action Alternative, North Option: Concur – adverse effect
    - No-Action Alternative, South Option: The narrative states that the viaduct would be widened and be approximately 10 feet closer to this property. However, without knowing the current distance of the highway from this property, it is difficult to determine if moving 10 feet closer is an adverse effect. Please provide more

information on the current distance. In our opinion, the addition of noise walls may be an adverse effect. Modern visual intrusions have occurred outside the historic boundary for this resource, but the addition of noise walls next to the property may diminish the historic setting of this property, whether or not the current historic setting is described as poor. How close will the noise walls be to the historic boundary of this property? How tall will the walls be?

- Revised Viaduct Alternative, North Option: Concur – adverse effect.
  - Revised Viaduct Alternative, South Option: Concur – adverse effect.
  - Partial Cover Lowered Alternative: Concur – adverse effect.
- 5DV.9780
    - No-Action Alternative, North Option: Concur – adverse effect.
    - No-Action Alternative, South Option: The narrative states that the viaduct would be widened and be approximately 10 feet closer to this property. However, without knowing the current distance of the highway from this property, it is difficult to determine if moving 10 feet closer is an adverse effect. Please provide more information on the current distance. In our opinion, the addition of noise walls may be an adverse effect. Modern visual intrusions have occurred outside the historic boundary for this resource, but the addition of noise walls next to the property may diminish the historic setting of this property, whether or not the current historic setting is described as poor. How close will the noise walls be to the historic boundary of this property? How tall will the walls be?
    - Revised Viaduct Alternative, North Option: Concur – adverse effect.
    - Revised Viaduct Alternative, South Option: Concur – adverse effect.
    - Partial Cover Lowered Alternative: Concur – adverse effect.
- 5DV.9795
    - No-Action Alternative, North Option: Our office does not concur with the recommended finding of no adverse effect. The narrative states that the viaduct is currently 140 feet from this property. The proposed viaduct will be 75 to 100 feet closer after construction. The proposed argument is that the existing viaduct is in the visual setting right now and the new viaduct will take its place. However, the proposed viaduct will be 65- to 40-feet closer to this property than the current 140 feet. In our opinion, the movement of the viaduct closer to this resource and introduction of noise walls diminishes the integrity of this resource and is an adverse effect.
    - No-Action Alternative, South Option: See above. The footage is different, but our comment methodology the same.
    - Revised Viaduct Alternative, North Option: See above.
    - Revised Viaduct Alternative, South Option: See above.
    - Partial Cover Lowered Alternative: See above.
- 5DV.9805
    - No-Action Alternative, North Option: The narrative states that the viaduct widening would “slightly” move closer to this resource. The narrative does not state how far the current viaduct is from this resource. We are not able to fully evaluate the movement of the new viaduct without understanding how close the current viaduct



is to the resource. Please provide more information on the current distance of the viaduct from this property. Also, please provide information on how close the proposed noise walls will be to this resource. Please note that the lessening of the integrity of the historic setting does not negate the introduction of new visual or auditory elements from this project.

- No Action Alternative, South Option: See above.
  - Revised Viaduct Alternative, North Option: The narrative states that the highway will remain in its current location, but be widened to the north by approximately 275 feet. We are not able to fully evaluate the movement of the new viaduct towards the resource without understanding how close the current viaduct is to the resource. Please provide more information on the current distance of the highway to this resource. This distance is critical in understanding how close the 12- to 14- foot noise walls will be to the historic setting within this property. Modern visual intrusion have occurred outside the historic boundary for this resource, but the additional of a 12- to 14-foot noise wall next to the property may diminish the historic setting of this property, whether or not the current historic setting is described as poor.
  - Revised Viaduct Alternative, South Option: see above.
  - Partial Cover Lowered Alternative: The narrative states that the roadway will move 275 feet closer to this resource. What is the current footage distance from the highway to the resource? How close will the highway be to the property's historic boundary?
- 5DV.9823
    - No Action Alternative, North Option. According to the narrative, after the widening of the viaduct, the viaduct would be approximately 350 feet away from the property. The narrative does not state where the noise walls will be installed. Will the noise walls also be 350 feet away, or closer to this resource? If closer, what distance?
    - No Action Alternative, South Option: see above.
    - Revised Viaduct Alternative, North Option: The highway is described as moving 250 feet closer to this property, but the current distance is not known. It is difficult to evaluate whether a movement of 250 feet closer to this resource is an adverse effect without knowing the existing distance. Please provide that information. Also, please provide information on how far the proposed noise walls will be from the historic property boundary. See similar comments above in this regard.
    - Revised Viaduct Alternative, South Option. See above.
    - Partial Cover Lowered Alternative: The narrative states that the roadway will move 250 feet closer to this resource. What is the current footage distance from the highway to the resource? How close will the highway be to the property's historic boundary?
- 5DV.9828, 5DV.10034, 5DV.10040, 5DV.10085, 5DV.10135 - see comments for 5DV.9823.

- 5DV.1172
  - No-Action Alternative, North Option: The narrative states that the property is located near the rebuilding of the viaduct. The narrative does not state the current distance between the viaduct and this property. Also, will the rebuilding of the viaduct make it taller or closer to this property? How close to the historic property's boundary will the noise walls be constructed? How tall are the noise walls?
  - No Action Alternative, South Option: see above.
  - Revised Viaduct Alternative, North Option: As stated in previous comments, the proposed viaduct will be 300 feet closer, but the current distance is not provided. Please provide more information on the current and proposed distance of the proposed viaduct and noise walls to this property.
  - Revised Viaduct Alternative, South Option: see above.
  - Partial Cover Lowered Alternative: see above.
- 5DV.5677 -see comments for 5DV.1172
- 5DV.7130
  - No-Action Alternative, North Option: Concur – adverse effect.
  - No-Action Alternative, South Option: The narrative states that the proposed viaduct would be located less than 50 feet closer to the southern edge of the property. It is hard to determine what less than 50 feet means. The proposed viaduct could be 1 to 49 feet closer. How tall are the noise walls and how close will they be from the historic property's boundary?
  - Revised Viaduct Alternative, North Option: Concur – adverse effect.
  - Revised Viaduct Alternative, South Option: Concur – no adverse effect.
  - Partial Cover Lowered Alternative: Concur – adverse effect.
- 5DV.9245
  - No-Action Alternative, North Option: Concur – no adverse effect.
  - No-Action Alternative, South Option: Concur – adverse effect.
  - Revised Viaduct Alternative, North Option: The narrative does not state how close the noise walls will be installed. Please provide this information. Please note the above comments in regards to the introduction of new visual elements not being negated by existing visual elements.
  - Revised Viaduct Alternative, South Option: Concur – adverse effect.
  - Partial Cover Lowered Alternative: The narrative does not state how close the highway will be to this resource. What is the distance from the highway to the resource? Also, note the comments above in regards to the setting outside the historic property's boundary.
- 5DV.9655
  - No-Action Alternative, North Option: Concur – adverse effect.
  - No-Action Alternative, North and South Options: Please see the previous comments on the above resources in regards to current distance of the improvements to the historic property's boundary.
  - Revised Viaduct Alternative, North Option: Concur – adverse effect

- Revised Viaduct Alternative, South Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
- Partial Cover Lowered Alternative: Concur – adverse effect.
- 5DV.9667
  - No Action Alternative North and South Options: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative North and South Options: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Partial Covered Lower Alternative: Concur – adverse effects
- 5DV.9705
  - No Action Alternative, North and South Options: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, North Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, South Option: Concur – no adverse effect.
  - Partial Cover Lowered Alternative: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
- 5DV.9706, 5DV.9742, 5DV.9745, 5DV.9748, 5DV.9751, 5DV.9753, 5DV.9761, 5DV.9762,
- 5DV.5623/5DV.9765, 5DV.9787, 5DV.9994, 5DV.9996, 5DV.10058, 5DV.10124, 5DV.9714, 5DV.9966, 5DV.9968, 5DV.10003, 5DV.10013, 5DV.10014, 5DV.10065, 5DV.9227, 5DV.9988, 5DV.9989, 5DV.10047,
  - No Action Alternative, North and South Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, North and South Options: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Partial Cover Lowered Alternative: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
- 5DV.9746
  - No Action Alternative, North Option: Concur – adverse effect
  - No Action Alternative, South Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, North Option: Concur – adverse effect
  - Revised Viaduct Alternative, South Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Partial Cover lowered Alternative: Concur – adverse effect.

- 5DV.9801
  - No-Action Alternative, North Option: Concur – adverse effect.
  - No-Action Alternative, South Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, North Option: Concur – adverse effect.
  - Revised Viaduct Alternative, South Option: Concur – no adverse effect.
  - Partial Cover Lowered Alternative: Concur – adverse effect.
  
- 5DV.9678
  - No-Action Alternative, North Option: See above information on noise walls.
  - No-Action Alternative, South Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, North Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, South Option: Concur – adverse effect.
  - Partial Cover lowered Alternative: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  
- 5DV.9679
  - No-Action Alternative, North and South Options: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, North Option: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  - Revised Viaduct Alternative, South Option: Concur –adverse effect.
  - Partial Cover Lowered Alternative: Please see above comments in regards to current distance and proposed distance, as well as information on noise walls.
  
- 5DV.10126
  - No-Action Alternative, North Option: Concur – adverse effect.
  - No-Action Alternative, South Option: The narrative states that the historic district will be affected by indirect effects, but does not specify those effects.
  - Revised Viaduct Alternative, North Option: Concur : adverse effect.
  - Revised Viaduct Alternative, South Option: The narrative states ROW would be acquired from two contributing buildings within the historic district but that there would be no permanent physical changes to the acquired parcels. What is the exact scope of work within the historic district boundary?
  - Partial Cover Lowered Alternative: Concur – adverse effect.

We concur with all recommended findings of effect for each alternative for the resources listed below:

- 5DV.125
- 5DV.11283
- 5DV.4725
- 5AM.465



- 5DV.6247
- 5DV.6248
- 5DV.1298
- Safeway Distribution Center
- 5AM.2083
- 5DV.9231
- 5DV.7048
- 5AM.261

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

A handwritten signature in dark ink, appearing to read "Edward C. Nichols", with a stylized flourish at the end.

Edward C. Nichols  
State Historic Preservation Officer

**Attachment I – Appendix P  
Correspondence from Consulting  
Parties to CDOT Regarding July 29, 2014  
Submittal**





STATE OF  
COLORADO

Bushey - CDOT, Ashley <ashley.bushey@state.co.us>

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## RE: CPI Comments - Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County

1 message

---

Rachel Parris <rparris@coloradopreservation.org>  
To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Fri, Aug 22, 2014 at 3:20 PM

Yes ma'am!

From: Bushey - CDOT, Ashley [mailto:[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)]  
Sent: Friday, August 22, 2014 12:56 PM  
To: Rachel Parris  
Subject: Re: CPI Comments - Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County

May I infer from your response that CPI is comfortable with the determinations of effect outlined in the report?

Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental



**COLORADO**  
Department of Transportation  
Region 1

P 303.757.9397 | F 303.757.9036

2000 South Holly Street, Second Floor Denver, CO 80222

[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) | [www.coloradodot.info](http://www.coloradodot.info) | [www.cotrip.org](http://www.cotrip.org)

On Fri, Aug 22, 2014 at 12:53 PM, Rachel Parris <rparris@coloradopreservation.org> wrote:



Ashley,

Thank you for hand delivering our materials for comment regarding the I-70 EIS. After reviewing the materials we feel that the revised Viaduct Alternative (South Option) proves to be the least harmful to the built environment throughout the neighborhoods. We do however recognize that the community may see another option as more favorable. We look forward to continuing discussions with all parties, and found the materials to be quite comprehensive.

Best,

**Rachel Parris**

*Projects Manager*, Colorado Preservation, Inc.

1420 Ogden Street, Suite 104

Denver, CO 80218

Phone: 303-893-4260, Ext. 236

Visit us at [www.ColoradoPreservation.org](http://www.ColoradoPreservation.org)

Become a [member](#) today and help us build a future with historic places!





**Community Planning and Development**  
Denver Landmark Preservation

201 West Colfax, Dept. 205  
Denver, CO 80202  
p: (720)-865-2709  
f: (720)-865-3050

[www.denvergov.org/preservation](http://www.denvergov.org/preservation)

E-Mail: [landmark@denvergov.org](mailto:landmark@denvergov.org)

September 5, 2014

Ashley L. Bushey  
State of Colorado; Department of Transportation  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222

Subject: Determinations of Effect, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Thank you for the opportunity to provide comments for the proposal.

We are providing comments based on our role as Certified Local Government (CLG) representative for Denver County, Colorado for compliance with Section 106 (36 CFR 800) of the National Historic Preservation Act and the National Environmental Policy Act (NEPA).

Denver Landmark staff presented the report to the Denver Landmark Preservation Commission at their September 2, 2014 meeting. Our office concurs with the determinations of Effect for the I-70 East Supplemental Draft Environmental Impact Statement as outlined in your August 2014 report.

Again, thank you for providing the information. If you need further information, please do not hesitate to contact our office.

Sincerely,

George Gause  
Denver Landmark Preservation staff  
City & County of Denver Colorado



September 24, 2014

Mr. Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation  
2000 South Holly Street  
Denver, CO 80222

Re: Determinations of Effect, I-70 East SDEIS Comments

Dear Mr. Attardo:

Thank you for the opportunity to provide comments on the Determinations of Effect for the I-70 East SDEIS. Historic Denver, Inc. is included as a consulting party based on our concern for the effect that the alternatives under consideration could have on historic properties in the corridor. The original construction of I-70 was very damaging to a number of historic neighborhoods in its current path and has since separated them from the rest of the City of Denver to the south. We remain hopeful that this project can help repair some of that damage and not inflict further harm on the historic communities.

Historic Denver, Inc. was founded in 1970 by citizens who were increasingly alarmed at the loss of the city's historic fabric due to urban renewal and insensitive development. Historic Denver has continued to develop programs to help protect Denver's most valuable cultural and architectural landmarks by being one of the leading urban preservation organizations in the country.

While our initial recommendation was to recommend for alternatives that would re-route the I-70 corridor further north away from the historic neighborhoods located in the current I-70 path, we understand the alternatives listed in the current document are between: No Action (North, South), Revised Viaduct (North, South), and Partial Cover Lowered. In this scenario, we favor removing the existing viaduct and lowering the highway beneath the street corridor to allow for more opportunities for connectivity, removing a major visual barrier, and reducing noise. We also understand that this last option has been labeled the preferred alternative.

Of course, there are still effects on historic properties under all these Alternatives. We want to make particular note that while effects on the National Western Complex Historic District (particularly to the contributing properties of the Denver Coliseum and the Stadium Arena) are listed as none because of their location west of the westernmost construction footprint at Brighton Blvd. for this project, we want to ensure that planning does not subsequently envelop this district. We also caution against the determination of no historic properties affected to the Riverside Cemetery because all work to be done will be outside of its current boundary. Because the drainage work outlined for this project will be done in close proximity to the southern border of the cemetery, there is possibility of contact with historic resources associated with the cemetery in what might have been its larger historic footprint. We expect

that these and any other effects would be resolved during a supplemental Section 106 process if they arise.

In general, we do agree with the determinations which have been made by the Colorado Department of Transportation in the August 2014 document on the Section 106 Determination of Eligibility and Effects. We also trust and concur with the comments and questions made by the Colorado SHPO in regards to these determinations and can defer to their specific comments on the eligible properties listed in the document. One comment of clarification that we would like to reiterate from the SHPO is about the specifics of distance for each property from I-70 as a result of each alternative and how that distance can help determine if an adverse effect will be assigned or not to historically eligible properties in the APE.

We appreciate your consideration of our comments and look forward to continuing our role as a Section 106 consulting party as the process moves ahead.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. P. Olson", is positioned above the printed name and title.

John P. Olson  
Director of Preservation Programs

cc: Amy Pallante, CO SHPO





October 2, 2014

Colorado Department of Transportation  
Region I  
Planning and Environmental  
2000 South Holy Street  
Denver, Colorado 80222

Re: Request for Additional Consulting Party Status in I-70 East Section 106  
Consultation

To Whom It May Concern:

This firm represents Fairmount Cemetery Company (the "Company"), owner and operator of Riverside Cemetery (the "Cemetery"). In a draft of the *I-70 East Environmental Impact Statement* released in August 2014, the Cemetery was identified as a historic property falling within the Area of Potential Effect ("APE") for the FHWA and CDOT development on I-70 East between I-25 and Tower Road. (CDOT, 2014) ("Supplemental EIS"). Fairmount Cemetery Company is a consulting party under the section 106 process.

In your letter to Fairmount Heritage Foundation dated July 29, 2014, a copy of which we have reviewed, you requested concurrence with the determinations of the effects outlined in the EIS. In the EIS, CDOT determined that the three alternatives under consideration for the E I-70 corridor—the no action alternative, the revised viaduct alternative and the partial lower covered alternative—would result in no historic properties affected. Although we appreciate the review and analysis conducted by CDOT, the Company is not entirely convinced that any of the alternatives would result in no impact.

Generally, the Company shares the concerns of other consulting parties about the potential noise and visual impact of any of the alternatives, although we recognize that the distance from the actual highway improvements attenuates some of this impact. However, of particular and immediate concern to the Company is the location, construction and maintenance of a drainage "outfall" proposed to be located immediately adjacent to the Cemetery's southwestern boundary. Although CDOT indicates that the outfall will be constructed entirely outside the boundaries of the historic district, we are concerned about potential indirect adverse effects (as well as potential direct effects during construction).

For example, the drainage outfall may further significantly impact the view of the cemetery toward Denver, particularly at the southernmost edge of the Cemetery. Although we understand that drainage pipes will be concealed, where the outflows daylight we understand that CDOT will construct significant and large concreted areas and a large excavated area. The Company will need to plan for the potential impact of the altered

October 2, 2014

Page 2

views toward Denver and manage the impact on the historic context. Further, the Company is concerned about the hydrological impacts of the drainage on the Cemetery. The possible effects of the storm water outflow might result in an impact on vegetation in the Cemetery. Although water might be expected to be welcome in the parched Cemetery, the Cemetery needs to plan for the impact and effects of water, for instance the effect on the sandstone monuments. Finally, during construction, the Company is concerned about direct and indirect effects of earthmoving, excavation, construction and related issues, including vehicular traffic, subsidence, vibration, noise and access, and their effect on the historic resources in the Cemetery.

As mentioned in your July 29, 2014 letter, additional engineering and planning may result in an assessment that impacts on the Cemetery which are different than set forth in the Supplemental EIS. Of course, as those impacts change, we hope to be engaged.

From the Company's perspective, the impacts of the CDOT's I-70 East activities cannot be considered in isolation from the impacts of other activities. As you know, the APE includes areas substantially impacted by additional growth and development reflected in the City of Denver's Elyria-Swansea Neighborhood Plan, RTD's North Metro Rail Line construction, and the National Western Stock Show expansion and improvement. All of that development impacts the Cemetery, and, the Company needs to plan for the impacts of all that development on the historic resources in the Cemetery.

On a related point, in a letter dated January 21, 2014, from Patricia Carmody to Kirk Webb, NEPA Program Manager, Colorado Dept. of Transportation, Ms. Carmody responded to Mr. Webb's request for a list of projects at the Cemetery that satisfy CDOT's criteria of historic preservation and service to the community. These projects are still largely the same as described in January and may be considered as CDOT explores ways to resolve or mitigate adverse effects within the APE. These projects include:

- Master Plan/Landscape Plan
- Seasonal Horticulturist
- Scanning all historic documents pertaining to Riverside 1876 forward,
- Restoration of the Riverside Office/Chapel/Crematorium according to the SHF assessment.
- Restoration of the "Old Stone House"
- Planning, development, and implementation for an educational wetlands/native plant area with trails (low impact, fully accessible), signage, outdoor classroom, etc.
- Irrigation Infrastructure.

October 2, 2014

Page 3

We appreciate the opportunity to advise you of our concerns and we look forward to discussing these issues with you further. Please do not hesitate to contact me with any questions.

Sincerely,

Moye White LLP

A handwritten signature in black ink, appearing to read "Dom Sekich". The signature is fluid and cursive, with a large initial "D" and a stylized "S".

Dominick Sekich

Attachment I- Appendix Q  
Correspondence from CDOT to SHPO and  
Consulting Parties  
March 4, 2015







**COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 4, 2015

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

RE: Determinations of Effect: Response to Comments; Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Nichols:

The Colorado Department of Transportation (CDOT), on behalf of the Federal Highway Administration (FHWA), consulted with your office on Section 106 [36 CFR 800] determinations of effect for the above-referenced project via a letter dated July 29, 2014, followed by a consulting party meeting held on September 18, 2014. Your office issued a request for additional information based on those determinations by a letter dated September 23, 2014. Comments contained in that letter requested greater specificity and depth of analysis in determining effects, with particular emphasis on the assessment of indirect effects.

The revised effects report (enclosed) replaces subjective language included in the initial submission with greater specificity and detail to support determinations of effect. Details include quantifying the height and location of noise walls, current and projected viaduct height (No-Build and Revised Viaduct Alternatives), current and projected distance of historic resources from infrastructure improvements, and details regarding the size and location of right-of-way and easement acquisitions within historic boundaries. No universal baseline was established for the distance at which noise and visual impacts are experienced relative to the proposed infrastructure improvements; rather, sight line and audible impacts were evaluated on a resource-by-resource and alternative-by-alternative basis, taking into account not only distance, but setting elements that may shelter or minimize the visual intrusion or audible impact of a setting change. These changes were evaluated for their impact on the significant features of each resource to determine if the effect would or would not diminish the features qualifying the resource for inclusion in the National Register of Historic Places (NRHP), per 36 CFR 800.5.

The effects report evaluates resources determined *eligible* to the NRHP through consultation with your office in 2013. The following table reflects resources determined *not eligible* through that consultation. These resources result in an effect determination of *no historic properties affected*.

<i>Site Number</i>	<i>Address</i>	<i>Resource Name</i>	<i>Official Eligibility Determination 5.28.13</i>	<i>Determination of Effect</i>
5DV7062	N/A	UPRR Bridge over 46th Ave. E-17-Z	Not Eligible	No Historic Properties Affected
5DV9468	4502 Wynkoop St.	Reed Mill & Lumber Co.	Not Eligible	No Historic Properties Affected
5DV9821	4645 Franklin St.	The Security Realty Company Property	Not Eligible	No Historic Properties Affected
5DV10086	4401 Race St.	WG Pigg & Son Warehouse	Not Eligible	No Historic Properties Affected
5DV11320	4630 Washington St.	Den-Col	Not Eligible	No Historic Properties Affected
5DV11321	4530 Clayton St.	N/A	Not Eligible	No Historic Properties Affected
5DV11322	4532 Clayton St.	N/A	Not Eligible	No Historic Properties Affected

We request your concurrence with the determinations of effect contained in the table above and the revised determinations of effect contained in the enclosed effects report. If you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
March 2015 Revised I-70 East Section 106 Effects Report

cc:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Carrie Wallis, Atkins  
Scott Epstein, Pinyon Environmental, Inc.  
Jennifer Wahlers, Pinyon Environmental, Inc.



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 4, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

RE: Section 106 Determinations of Effect: Response to Comments; Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Ms. Eflin:

The Colorado Department of Transportation (CDOT), on behalf of the Federal Highway Administration (FHWA), consulted with the Colorado State Historic Preservation Office (SHPO) and your organization, in the capacity of consulting party, on Section 106 [36 CFR 800] determinations of effect for the above-referenced project via letters dated July 29, 2014. The consultation period included a consulting party meeting held on September 18, 2014, including participation from your organization. Colorado Preservation Inc. issued comments on the determinations of effect via an email dated August 22, 2014. No concerns were expressed relative to the determinations of effect.

Under the above-mentioned consultation, SHPO submitted a request for additional information, asking CDOT to provide greater specificity and depth of analysis in determining effects, with particular emphasis on the assessment of indirect effects. In response, a revised effects report (enclosed) was completed, replacing subjective language included in the initial submission with greater specificity and detail to support determinations of effect. Details include quantifying the height and location of noise walls, current and projected viaduct height (No-Build and Revised Viaduct Alternatives), current and projected distance of historic resources from infrastructure improvements, and details regarding the size and location of right-of-way and easement acquisitions within historic boundaries. No universal baseline was established for the distance at which noise and visual impacts are experienced relative to the proposed infrastructure improvements; rather, sight line and audible impacts were evaluated on a resource-by-resource and alternative-by-alternative basis, taking into account not only distance, but setting elements that may shelter or minimize the visual intrusion or audible impact of a setting change. These changes were evaluated for their impact on the significant features of each resource to determine if the effect would or would not diminish the features qualifying the resource for inclusion in the National Register of Historic Places (NRHP), per 36 CFR 800.5.

The effects report evaluates resources determined *eligible* to the NRHP through consultation with SHPO and your organization in 2013. The following table reflects resources determined *not eligible* through that consultation. These resources result in an effect determination of *no historic properties affected*.



<i>Site Number</i>	<i>Address</i>	<i>Resource Name</i>	<i>Official Eligibility Determination 5.28.13</i>	<i>Determination of Effect</i>
SDV7062	N/A	UPRR Bridge over 46th Ave. E-17-Z	Not Eligible	No Historic Properties Affected
SDV9468	4502 Wynkoop St.	Reed Mill & Lumber Co.	Not Eligible	No Historic Properties Affected
SDV9821	4645 Franklin St.	The Security Realty Company Property	Not Eligible	No Historic Properties Affected
SDV10086	4401 Race St.	WG Pigg & Son Warehouse	Not Eligible	No Historic Properties Affected
SDV11320	4630 Washington St.	Den-Col	Not Eligible	No Historic Properties Affected
SDV11321	4530 Clayton St.	N/A	Not Eligible	No Historic Properties Affected
SDV11322	4532 Clayton St.	N/A	Not Eligible	No Historic Properties Affected

As a consulting party on the subject undertaking, we welcome your comments on the additional information and analysis provided in the enclosed revised effects report. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. Should you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
March 2015 Revised I-70 East Section 106 Effects Report

cc:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Ashley L. Bushey, CDOT Region 1  
Carrie Wallis, Atkins  
Scott Epstein, Pinyon Environmental, Inc.  
Jennifer Wahlers, Pinyon Environmental, Inc.



COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 4, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

RE: Section 106 Determinations of Effect: Response to Comments; Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Olson:

The Colorado Department of Transportation (CDOT), on behalf of the Federal Highway Administration (FHWA), consulted with the Colorado State Historic Preservation Office (SHPO) and your organization, in the capacity of consulting party, on Section 106 [36 CFR 800] determinations of effect for the above-referenced project via letters dated July 29, 2014. The consultation period included a consulting party meeting held on September 18, 2014, including participation from your organization. Historic Denver Inc. issued comments on the determinations of effect via a letter dated September 24, 2014, confirming agreement with the outlined determinations and comments expressed by SHPO.

Under the above-mentioned consultation, SHPO submitted a request for additional information, asking CDOT to provide greater specificity and depth of analysis in determining effects, with particular emphasis on the assessment of indirect effects. In response, a revised effects report (enclosed) was completed, replacing subjective language included in the initial submission with greater specificity and detail to support determinations of effect. Details include quantifying the height and location of noise walls, current and projected viaduct height (No-Build and Revised Viaduct Alternatives), current and projected distance of historic resources from infrastructure improvements, and details regarding the size and location of right-of-way and easement acquisitions within historic boundaries. No universal baseline was established for the distance at which noise and visual impacts are experienced relative to the proposed infrastructure improvements; rather, sight line and audible impacts were evaluated on a resource-by-resource and alternative-by-alternative basis, taking into account not only distance, but setting elements that may shelter or minimize the visual intrusion or audible impact of a setting change. These changes were evaluated for their impact on the significant features of each resource to determine if the effect would or would not diminish the features qualifying the resource for inclusion in the National Register of Historic Places (NRHP), per 36 CFR 800.5.

The effects report evaluates resources determined *eligible* to the NRHP through consultation with SHPO and your organization in 2013. The following table reflects resources determined *not eligible* through that consultation. These resources result in an effect determination of *no historic properties affected*.

<i>Site Number</i>	<i>Address</i>	<i>Resource Name</i>	<i>Official Eligibility Determination 5.28.13</i>	<i>Determination of Effect</i>
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As a consulting party on the subject undertaking, we welcome your comments on the additional information and analysis provided in the enclosed revised effects report. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. Should you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
March 2015 Revised I-70 East Section 106 Effects Report

cc:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Ashley L. Bushey, CDOT Region 1  
Carrie Wallis, Atkins  
Scott Epstein, Pinyon Environmental, Inc.  
Jennifer Wahlers, Pinyon Environmental, Inc.



**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 4, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

RE: Section 106 Determinations of Effect: Response to Comments; Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Ms. Carmody:

The Colorado Department of Transportation (CDOT), on behalf of the Federal Highway Administration (FHWA), consulted with the Colorado State Historic Preservation Office (SHPO) and your organization, in the capacity of consulting party, on Section 106 [36 CFR 800] determinations of effect for the above-referenced project via letters dated July 29, 2014. The consultation period included a consulting party meeting held on September 18, 2014, including participation from your organization.

Under the above-mentioned consultation, SHPO submitted a request for additional information, asking CDOT to provide greater specificity and depth of analysis in determining effects, with particular emphasis on the assessment of indirect effects. In response, a revised effects report (enclosed) was completed, replacing subjective language included in the initial submission with greater specificity and detail to support determinations of effect. Details include quantifying the height and location of noise walls, current and projected viaduct height (No-Build and Revised Viaduct Alternatives), current and projected distance of historic resources from infrastructure improvements, and details regarding the size and location of right-of-way and easement acquisitions within historic boundaries. No universal baseline was established for the distance at which noise and visual impacts are experienced relative to the proposed infrastructure improvements; rather, sight line and audible impacts were evaluated on a resource-by-resource and alternative-by-alternative basis, taking into account not only distance, but setting elements that may shelter or minimize the visual intrusion or audible impact of a setting change. These changes were evaluated for their impact on the significant features of each resource to determine if the effect would or would not diminish the features qualifying the resource for inclusion in the National Register of Historic Places (NRHP), per 36 CFR 800.5.


The effects report evaluates resources determined *eligible* to the NRHP through consultation with SHPO and your organization in 2013. The following table reflects resources determined *not eligible* through that consultation. These resources result in an effect determination of *no historic properties affected*.



Site Number	Address	Resource Name	Official Eligibility Determination 5.28.13	Determination of Effect
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As a consulting party on the subject undertaking, we welcome your comments on the additional information and analysis provided in the enclosed revised effects report. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. Should you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



f- Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
March 2015 Revised I-70 East Section 106 Effects Report

cc:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Ashley L. Bushey, CDOT Region 1  
Carrie Wallis, Atkins  
Scott Epstein, Pinyon Environmental, Inc.  
Jennifer Wahlers, Pinyon Environmental, Inc.



**COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 4, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

RE: Section 106 Determinations of Effect: Response to Comments; Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Gause:

The Colorado Department of Transportation (CDOT), on behalf of the Federal Highway Administration (FHWA), consulted with the Colorado State Historic Preservation Office (SHPO) and the Denver Landmark Preservation Commission, in the capacity of consulting party, on Section 106 [36 CFR 800] determinations of effect for the above-referenced project via letters dated July 29, 2014. The consultation period included a consulting party meeting held on September 18, 2014, including participation from your office. Comments on the effects determinations were submitted from your office in a letter dated September 5, 2014.

Under the above-mentioned consultation, SHPO submitted a request for additional information, asking CDOT to provide greater specificity and depth of analysis in determining effects, with particular emphasis on the assessment of indirect effects. In response, a revised effects report (enclosed) was completed, replacing subjective language included in the initial submission with greater specificity and detail to support determinations of effect. Details include quantifying the height and location of noise walls, current and projected viaduct height (No-Build and Revised Viaduct Alternatives), current and projected distance of historic resources from infrastructure improvements, and details regarding the size and location of right-of-way and easement acquisitions within historic boundaries. No universal baseline was established for the distance at which noise and visual impacts are experienced relative to the proposed infrastructure improvements; rather, sight line and audible impacts were evaluated on a resource-by-resource and alternative-by-alternative basis, taking into account not only distance, but setting elements that may shelter or minimize the visual intrusion or audible impact of a setting change. These changes were evaluated for their impact on the significant features of each resource to determine if the effect would or would not diminish the features qualifying the resource for inclusion in the National Register of Historic Places (NRHP), per 36 CFR 800.5.

The effects report evaluates resources determined *eligible* to the NRHP through consultation with SHPO and your organization in 2013. The following table reflects resources determined *not eligible* through that consultation. These resources result in an effect determination of *no historic properties affected*.

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As a consulting party on the subject undertaking, we welcome your comments on the additional information and analysis provided in the enclosed revised effects report. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. Should you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
March 2015 Revised I-70 East Section 106 Effects Report

cc:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Ashley L. Bushey, CDOT Region 1  
Carrie Wallis, Atkins  
Scott Epstein, Pinyon Environmental, Inc.  
Jennifer Wahlers, Pinyon Environmental, Inc.



**COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 4, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

RE: Section 106 Determinations of Effect: Response to Comments; Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Briggs:

The Fairmount Cemetery Company requested status as a consulting party for the above-mentioned project by a letter dated September 22, 2014, received by the Colorado Department of Transportation (CDOT) September 29, 2014. Upon receipt of that correspondence, CDOT included the Fairmount Cemetery Company as a consulting party for the undertaking. As a consulting party, CDOT will provide your office with the opportunity to comment on Section 106 consultations relating to the project. This correspondence contains a request for comments on revisions to determinations of Section 106 effects contained in the enclosed report. These findings were revised based on comments received from the Colorado State Historic Preservation Office (SHPO) and participating consulting parties during initial consultation on the document in 2014, described below.

*Initial consultation on Determinations of Section 106 Effects*

CDOT, on behalf of the Federal Highway Administration (FHWA), consulted with the Colorado SHPO and participating consulting parties on Section 106 [36 CFR 800] determinations of effect for the above-referenced project via letters dated July 29, 2014. The consultation period included a consulting party meeting held on September 18, 2014.

Under the above-mentioned consultation, SHPO submitted a request for additional information, asking CDOT to provide greater specificity and depth of analysis in determining effects, with particular emphasis on the assessment of indirect effects. In response, a revised effects report (enclosed) was completed, replacing subjective language included in the initial submission with greater specificity and detail to support determinations of effect. Details include quantifying the height and location of noise walls, current and projected viaduct height (No-Build and Revised Viaduct Alternatives), current and projected distance of historic resources from infrastructure improvements, and details regarding the size and location of right-of-way and easement acquisitions within historic boundaries. No universal baseline was established for the distance at which noise and visual impacts are experienced relative to the proposed infrastructure improvements; rather, sight line and audible impacts were evaluated on a resource-by-resource and alternative-by-alternative basis, taking into account not only distance, but setting elements that may shelter or minimize the visual intrusion or audible impact of a setting change. These changes were evaluated for their impact on the significant features of each resource to determine if



the effect would or would not diminish the features qualifying the resource for inclusion in the National Register of Historic Places (NRHP), per 36 CFR 800.5.

The effects report evaluates resources determined *eligible* to the NRHP through consultation with SHPO and your organization in 2013. The following table reflects resources determined *not eligible* through that consultation. These resources result in an effect determination of *no historic properties affected*.

Site Number	Address	Resource Name	Official Eligibility Determination 5.28.13	Determination of Effect
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SDV11321	4530 Clayton St.	N/A	Not Eligible	No Historic Properties Affected
SDV11322	4532 Clayton St.	N/A	Not Eligible	No Historic Properties Affected

**Action Requested**

As a consulting party on the subject undertaking, we welcome your comments on the additional information and analysis provided in the enclosed revised effects report. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. Should you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
March 2015 Revised I-70 East Section 106 Effects Report

cc:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Ashley L. Bushey, CDOT Region 1  
Carrie Wallis, Atkins  
Scott Epstein, Pinyon Environmental, Inc.  
Jennifer Wahlers, Pinyon Environmental, Inc.

Attachment I- Appendix R  
Correspondence from SHPO to CDOT  
April 27, 2015





April 27, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Determinations of Effect: Response to Comments: Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-Evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated March 4, 2015 and received by our office on March 13, 2015 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided additional information, we do not object to the proposed Area of Potential Effects (APE) for the proposed project. We concur with the recommendation of effects for each of the alternatives presented in the March 2015 Section 106 Determinations of Eligibility and Effects. However, we do have one comment in regards to the resource listed below.

- 5DV.9679
  - No Action Alternative – South Option. In our opinion, the proposed viaduct being 25 feet closer **diminishes** the historic setting of this resource. Currently, there is a vacant lot with trees between this resource and the existing viaduct. In our opinion, the vacant lot with trees serves as a visual buffer from the existing viaduct. The proposed viaduct will be moving 58 feet closer and be 2 feet taller. The buffer of the vacant lot with trees will be lost and the proposed viaduct will be adjacent to this resource. In our opinion, the loss of the current visual buffer and movement of the proposed viaduct 58 feet closer to this resource will diminish the historic setting, and the resource's relationship to that historic surrounding. Staff recommends a finding of *adverse effect* [36 CFR 800.5(a)(1)] under Section 106 for this resource.

We concur with the recommended findings of eligible and effects presented in the table on page 2 of the report letter (dated March 4, 2015).

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.



We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Nichols", with a stylized flourish at the end.

Edward C. Nichols  
State Historic Preservation Officer

A small, handwritten mark in blue ink, possibly a stylized "L" or a checkmark.

Attachment I- Appendix S  
Correspondence from Consulting Parties to  
CDOT Regarding March 4, 2015 Submittal



STATE OF  
COLORADO

Bushey - CDOT, Ashley &lt;ashley.bushey@state.co.us&gt;

---

## Section 106 Response to Comments; I-70 supplemental draft EIS re-evaluation (CHS #41831)

1 message

---

Gause, George - Community Planning and Development  
<George.Gause@denvergov.org>  
To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Fri, Mar 20, 2015 at 11:40  
AM

Ashley,

Denver landmark Preservation has reviewed the "Response to Comments; I-70 supplemental draft EIS re-evaluation (CHS #41831)"

We have no further comments. Let me know if you have any questions. Thanks

George Gause | Senior City Planner-Landmark Preservation  
Community Planning & Development | Planning Services



City and County of Denver  
[720.865.2929](tel:720.865.2929) | [george.gause@denvergov.org](mailto:george.gause@denvergov.org)  
[DenverGov.org/CPD](http://DenverGov.org/CPD) | @DenverCPD | Take our Survey  
The Landmark Preservation Commission (LPC) filing deadline increases to four (4) weeks prior to each meeting in 2015.

Comments and correspondence concerning proposals or applications are based on information received by the requestor and a comparison of that information and the Secretary of the Interior's Standards, Design Guidelines for Landmark Structures and Districts, Landmark Preservation Ordinance; Chapter 30 Revised Municipal Code and other applicable adopted guidelines. Staff is providing these comments for informal informational purposes only. These comments do not replace the formal design review process. More specific answers to a proposal can only be given after full review of the required documentation is accomplished. Landmark staff is not responsible for building or zoning review. Please submit plans to those agencies for comment.

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s). Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this communication in error, please immediately notify the sender by e-mail, and delete the original message. In addition, if you have received this in error, please do not review, distribute, or copy the message. Thank you for your cooperation.





Attachment I- Appendix T  
Correspondence from CDOT to SHPO and  
Consulting Parties  
March 26, 2015





## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 26, 2015

Mr. Edward C. Nichols  
State Historic Preservation Officer  
History Colorado  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Early Acquisition of Colonial Manor Motel, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Nichols:

The Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA) have initiated early right-of-way acquisition to support construction of improvements to I-70 East as outlined in the Supplemental Draft Environmental Impact Statement (SDEIS) released on August 29, 2014. Early acquisition of Section 4(f) historic properties is not typical, but is allowable under Section 1302 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21; 2012). Under this Section, advance acquisition of real property is permissible when the acquisition is for transportation purposes, will not cause any significant adverse environmental impact, will not limit or influence the choice of reasonable alternatives for the project, and does not prevent the lead agency from making an impartial decision as to whether to accept an alternative under consideration in the environmental review process.

### **Application of MAP-21 Section 1302**

The SDEIS contains three (3) project alternatives, two (2) of which contain two (2) separate modifications or options (north or south options), for a total of five (5) possible Section 106 effects determinations to the resource. Of the five (5) effects determinations evaluated under Section 106 for the Colonial Motel [I-70 East Section 106 Determinations of Effect Report, March 2015], four (4) indicate acquisition in whole or in part of the Colonial Motel property to accommodate construction, resulting in a determination of *adverse effect* under Section 106. Demolition of the building is indicated under three (3) of these options, including the preliminarily identified preferred alternative. Demolition is **not** a component of the early acquisition action, which is the subject of this correspondence. Because acquisition of this property is indicated under all project alternatives, with the exception of the Revised Viaduct Alternative, South Option, early acquisition of the property will not limit the choice or selection of alternatives under consideration for this project.

As described in the *effects* section of this correspondence, CDOT will be required to maintain the resource while under its ownership until a preferred alternative is selected in the Record of Decision, funding identified, and project phase prepared for construction. This maintenance/stabilization of the resource in its existing condition will preserve potential for future use in the event an avoidance alternative is identified. Therefore, the early acquisition action will not create a significant adverse environmental impact.

### **Eligibility Determination**

**Colonial Manor Motel (5DV7130):** The Colonial Manor Motel was constructed in 1946, representing a transition between the *tourist court* or *motor court* of the 1930s and the *motel* of the post-war era. The



Colonial exhibits thematic architecture typical of early tourist courts, but is constructed in the connected architecture common to the post-war motel. The typical post-war motel was a single building of connected rooms constructed in a U-shape or crescent shape, though linear arrangements were not uncommon where space was limited. The construction of limited-access highways and interstates drew travelers to these high-speed routes, and drew business away from many tourist courts and motels located in bypassed communities or beyond sight distance from these highways. Construction of I-70 along the route of the existing 46<sup>th</sup> Avenue continued to shuttle travelers past the Colonial Motel; however the raised viaduct elevated the sight line of most motorists above the building. To attract business and accommodate the barrier of limited access, the Colonial constructed a tall sign visible from the interstate directing motorists to "Take Brighton Exit."

The building was determined *eligible* for inclusion on the National Register of Historic Places (NRHP) in 2007 and 2013.

#### **Determination of Effect**

**Colonial Manor Motel (5DV7130):** While under the ownership of CDOT, the Colonial Motel will be preserved/stabilized in its existing condition following guidelines established by the Technical Preservation Services of the National Park Service Preservation Brief 31: Mothballing Historic Buildings, with emphasis on the *Stabilization* and *Mothballing* chapters.

Access to the building, including interior spaces and systems, is essential to understanding and analysis of the stabilization/mothballing needs of the building. After acquisition of the property, your office will be provided with before and after photographs of the stabilization effort and a stabilization report.

Stabilization of the building will maintain the existing condition, preserving the opportunity to reuse the building in the event that the I-70 East project identifies an avoidance alternative to use of the property. The intended use of the property under redevelopment of the I-70 East corridor has been consulted on with your office as a separate action. The acquisition and stabilization proposed by this consultation will not alter or diminish the characteristics of the property qualifying it for inclusion in the NRHP. The action proposed under this consultation will result in a finding of *no adverse effect*.

We request your concurrence with the determination of eligibility and effect outlined above. In your capacity as the official with jurisdiction over this Section 4(f) resource, we request acknowledgement of the intention to proceed with early acquisition and that such action does not constitute a significant adverse environmental impact with regard to the resource. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



*fo* Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments:  
TPS Preservation Brief 31: Mothballing Historic  
Buildings

Cc:  
Vanessa Henderson, CDOT Project Manager  
Carrie Wallis, Atkins Project Manager



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 26, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Early Acquisition of Colonial Manor Motel, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Briggs:

The Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA) have initiated early right-of-way acquisition to support construction of improvements to I-70 East as outlined in the Supplemental Draft Environmental Impact Statement (SDEIS) released on August 29, 2014. Early acquisition of Section 4(f) historic properties is not typical, but is allowable under Section 1302 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21; 2012). Under this Section, advance acquisition of real property is permissible when the acquisition is for transportation purposes, will not cause any significant adverse environmental impact, will not limit or influence the choice of reasonable alternatives for the project, and does not prevent the lead agency from making an impartial decision as to whether to accept an alternative under consideration in the environmental review process. As a consulting party participating in the Section 106 evaluation of the I-70 East redevelopment, we welcome your comments on this action.

### **Application of MAP-21 Section 1302**

The SDEIS contains three (3) project alternatives, two (2) of which contain two (2) separate modifications or options (north or south options), for a total of five (5) possible Section 106 effects determinations to the resource. Of the five (5) effects determinations evaluated under Section 106 for the Colonial Motel [I-70 East Section 106 Determinations of Effect Report, March 2015], four (4) indicate acquisition in whole or in part of the Colonial Motel property to accommodate construction, resulting in a determination of *adverse effect* under Section 106. Demolition of the building is indicated under three (3) of these options, including the preliminarily identified preferred alternative. Demolition is **not** a component of the early acquisition action, which is the subject of this correspondence. Because acquisition of this property is indicated under all project alternatives, with the exception of the Revised Viaduct Alternative, South Option, early acquisition of the property will not limit the choice or selection of alternatives under consideration for this project.

As described in the *effects* section of this correspondence, CDOT will be required to maintain the resource while under its ownership until a preferred alternative is selected in the Record of Decision, funding identified, and project phase prepared for construction. This maintenance/stabilization of the resource in its existing condition will preserve potential for future use in the event an avoidance alternative is identified. Therefore, the early acquisition action will not create a significant adverse environmental impact.

### **Eligibility Determination**

**Colonial Manor Motel (SDV7130):** The Colonial Manor Motel was constructed in 1946, representing a transition between the *tourist court* or *motor court* of the 1930s and the *motel* of the post-war era. The

Colonial exhibits thematic architecture typical of early tourist courts, but is constructed in the connected architecture common to the post-war motel. The typical post-war motel was a single building of connected rooms constructed in a U-shape or crescent shape, though linear arrangements were not uncommon where space was limited. The construction of limited-access highways and interstates drew travelers to these high-speed routes, and drew business away from many tourist courts and motels located in bypassed communities or beyond sight distance from these highways. Construction of I-70 along the route of the existing 46<sup>th</sup> Avenue continued to shuttle travelers past the Colonial Motel; however the raised viaduct elevated the sight line of most motorists above the building. To attract business and accommodate the barrier of limited access, the Colonial constructed a tall sign visible from the interstate directing motorists to "Take Brighton Exit."

The building was determined *eligible* for inclusion on the National Register of Historic Places (NRHP) in 2007 and 2013.

#### **Determination of Effect**

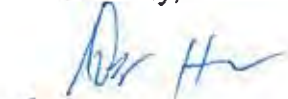
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As a local organization with a potential interest in this undertaking, we welcome your comments on the determinations of effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



f. Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments:  
TPS Preservation Brief 31: Mothballing Historic  
Buildings

Cc:  
Vanessa Henderson, CDOT Project Manager  
Carrie Wallis, Atkins Project Manager



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 26, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Early Acquisition of Colonial Manor Motel, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Ms. Carmody:

The Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA) have initiated early right-of-way acquisition to support construction of improvements to I-70 East as outlined in the Supplemental Draft Environmental Impact Statement (SDEIS) released on August 29, 2014. Early acquisition of Section 4(f) historic properties is not typical, but is allowable under Section 1302 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21; 2012). Under this Section, advance acquisition of real property is permissible when the acquisition is for transportation purposes, will not cause any significant adverse environmental impact, will not limit or influence the choice of reasonable alternatives for the project, and does not prevent the lead agency from making an impartial decision as to whether to accept an alternative under consideration in the environmental review process. As a consulting party participating in the Section 106 evaluation of the I-70 East redevelopment, we welcome your comments on this action.

### **Application of MAP-21 Section 1302**

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As described in the *effects* section of this correspondence, CDOT will be required to maintain the resource while under its ownership until a preferred alternative is selected in the Record of Decision, funding identified, and project phase prepared for construction. This maintenance/stabilization of the resource in its existing condition will preserve potential for future use in the event an avoidance alternative is identified. Therefore, the early acquisition action will not create a significant adverse environmental impact.



### Eligibility Determination

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The building was determined *eligible* for inclusion on the National Register of Historic Places (NRHP) in 2007 and 2013.

### Determination of Effect

**Colonial Manor Motel (5DV7130):** While under the ownership of CDOT, the Colonial Motel will be preserved/stabilized in its existing condition following guidelines established by the Technical Preservation Services of the National Park Service Preservation Brief 31: Mothballing Historic Buildings, with emphasis on the *Stabilization* and *Mothballing* chapters.

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Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments:  
TPS Preservation Brief 31: Mothballing Historic  
Buildings

Cc:  
Vanessa Henderson, CDOT Project Manager  
Carrie Wallis, Atkins Project Manager



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 26, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

**SUBJECT:** Early Acquisition of Colonial Manor Motel, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Ms. Eflin:

The Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA) have initiated early right-of-way acquisition to support construction of improvements to I-70 East as outlined in the Supplemental Draft Environmental Impact Statement (SDEIS) released on August 29, 2014. Early acquisition of Section 4(f) historic properties is not typical, but is allowable under Section 1302 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21; 2012). Under this Section, advance acquisition of real property is permissible when the acquisition is for transportation purposes, will not cause any significant adverse environmental impact, will not limit or influence the choice of reasonable alternatives for the project, and does not prevent the lead agency from making an impartial decision as to whether to accept an alternative under consideration in the environmental review process. As a consulting party participating in the Section 106 evaluation of the I-70 East redevelopment, we welcome your comments on this action.

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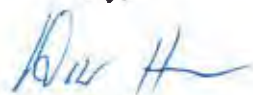
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Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments:  
TPS Preservation Brief 31: Mothballing Historic  
Buildings

Cc:  
Vanessa Henderson, CDOT Project Manager  
Carrie Wallis, Atkins Project Manager



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 26, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

**SUBJECT:** Early Acquisition of Colonial Manor Motel, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Gause:

The Colorado Department of Transportation (CDOT) and Federal Highway Administration (FHWA) have initiated early right-of-way acquisition to support construction of improvements to I-70 East as outlined in the Supplemental Draft Environmental Impact Statement (SDEIS) released on August 29, 2014. Early acquisition of Section 4(f) historic properties is not typical, but is allowable under Section 1302 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21; 2012). Under this Section, advance acquisition of real property is permissible when the acquisition is for transportation purposes, will not cause any significant adverse environmental impact, will not limit or influence the choice of reasonable alternatives for the project, and does not prevent the lead agency from making an impartial decision as to whether to accept an alternative under consideration in the environmental review process. As a consulting party participating in the Section 106 evaluation of the I-70 East redevelopment, we welcome your comments on this action.

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Sincerely,



Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments:  
TPS Preservation Brief 31: Mothballing Historic  
Buildings

Cc:  
Vanessa Henderson, CDOT Project Manager  
Carrie Wallis, Atkins Project Manager



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

March 26, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** Early Acquisition of Colonial Manor Motel, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS # 41831)

Dear Mr. Olson:

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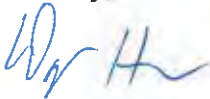
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Sincerely,



to Charles Attardo  
Region 1 Planning and Environmental Manager

Attachments:  
TPS Preservation Brief 31: Mothballing Historic  
Buildings

Cc:  
Vanessa Henderson, CDOT Project Manager  
Carrie Wallis, Atkins Project Manager

Attachment I- Appendix U  
Correspondence from SHPO to CDOT  
April 2, 2105







## HISTORY *Colorado*

April 2, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Early Acquisition of Colonial Manor Motel, Interstate 70 East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated March 26, 2015 and received on March 27, 2015 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the submitted information, we have determined that the early acquisition for resource 5DV.7130 is part of the overall I-70 East Supplemental Draft Environmental Impact Statement, which is currently in our office for review, and not a separate undertaking. Section 106 states that Federal agencies must take into account the effects of their projects on historic properties and that adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative. Based on the I-70 East Environmental Impact Statement Section 106 alternatives, resource 5DV.7130 would be acquired in order to implement the preliminary preferred alternative as well as other alternatives, regardless of the timing of the acquisition.

Further, Section 36 CFR 800.1(c) states that a Federal agency must complete the Section 106 prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license. In our opinion, the separating the Section 106 consultation on the early acquisition for resource 5DV.7130 from the overall Section 106 consultation for the I-70 East Environmental Impact Statement would be segmenting or parsing the overall Section 106 consultation for the I-70 East Supplemental Draft Environmental Impact Statement. Our office is currently reviewing the I-70 Environmental Impact Statement Section 106 Determination of Effects report (dated March 2015), and will be providing CDOT our comments by April 27, 2015.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

Edward C. Nichols  
State Historic Preservation Officer

cc: Christopher Wilson/Advisory Council on Historic Preservation



Attachment I- Appendix V  
Correspondence from Consulting Parties to  
CDOT Regarding March 26, 2015 Submittal







STATE OF  
COLORADO

Bushey - CDOT, Ashley <ashley.bushey@state.co.us>

---

## Colonial Manor Motel, I-70 EIS re-eval project - No Comment

1 message

---

Roxanne Eflin <reflin@coloradopreservation.org>

Mon, Apr 6, 2015 at 6:49 PM

To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Ashley: I have reviewed your letter of March 26<sup>th</sup> regarding the above mentioned NR-eligible property (5DV7130) and wanted you to know that we are in concurrence with CDOT's finding of no adverse effect; therefore, please consider this our reply of No Comment.

Thanks, and keep up the great work.

**SAVE THE DATE! May 6th, Dana Crawford and State Honor Awards Celebration.**

Roxanne Eflin

Executive Director

[Colorado Preservation, Inc.](#) 30+ years and going strong!

1420 Ogden St., Suite 104

Denver, CO 80218

[303.893.4260](tel:303.893.4260), x222 - office

[207.229.9465](tel:207.229.9465) - mobile

Visit us at [www.coloradopreservation.org](http://www.coloradopreservation.org)



Colorado Preservation, Inc.  
BUILDING A FUTURE *with* HISTORIC PLACES



Attachment I- Appendix W  
Internal CDOT Memorandum Regarding  
Colonial Manor (5DV7130) Acquisition  
April 8, 2015







# I-70 East

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DATE: April 8, 2015  
TO: Project File  
FROM: Vanessa Henderson  
SUBJECT: Early Acquisition of Colonial Manor Motel, Interstate 70 (I-70) East  
Environmental Impact Statement Re-evaluation, Denver County and Adams  
County (CHS #41831)

On March 26, 2015, CDOT consulted with SHPO and the various consulting parties involved in this project regarding the potential early right-of-way acquisition at the Colonial Manor Motel (5DV7130) to support construction of improvements to I-70 East.

The State Historic Preservation Officer responded on April 2, 2015 that “separating the Section 106 consultation on the early acquisition for resource 5DV.7130 from the overall Section 106 consultation for the I-70 East Environmental Impact Statement would be segmenting or parsing the overall Section 106 consultation for the I-70 East Supplemental Draft Environmental Impact Statement.”

Following the response from SHPO, and internal conversations between FHWA and CDOT, it was determined to not move forward with the potential early acquisition of Colonial Motel as proposed.





Attachment I- Appendix X  
Correspondence from CDOT to SHPO and  
Consulting Parties  
April 29, 2015







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

April 29, 2015

Mr. Edward C. Nichols  
State Historic Preservation Officer  
History Colorado  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Effect Determination, Interstate 70 (I-70) East Corridor Draft Environmental Impact Statement, Denver County and Adams County (CHS #41831)

Dear Mr. Nichols:

The Colorado Department of Transportation (CDOT) received the comments from your office dated April 27, 2015 in regard to the revised I-70 East Corridor Section 106 Effects Determinations. In that correspondence, your office commented that the effect determination for the resource 4541 Clayton LLC Residence (5DV9679) under the No Action Alternative, South Option should be changed. The original effect determination concluded that the No-Action Alternative, South Option would result in *no adverse effect* to the resource. CDOT agrees with your office's comment that the effects to 5DV9679 will in fact result in an *adverse effect* to the resource. The previous effects determination for the No-Action Alternative, South Option read:

**4541 Clayton LLC Residence, 4541 Clayton Street (5DV9679)**

- **No-Action Alternative**

- **No-Action Alternative, South Option:** Currently, the residence at 4541 Clayton Street is situated 83 feet from the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 58 feet closer to this property. There are no direct effects to this resource, since this property would not be subject to temporary or permanent easements or ROW acquisition from the No-Action Alternative, South Option. It would experience indirect effects in the form of visual and historic setting changes from the reconstruction of the viaduct. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 26 feet tall. The proposed 12-foot-tall noise walls, which would be placed 25 feet from the resource, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the change in noise levels, construction of noise walls, and the wider and taller viaduct proposed under this alternative represent a larger visual presence and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change the existing features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect**.

The effects report will be updated with text shown below:

**4541 Clayton LLC Residence, 4541 Clayton Street (5DV9679)**

- **No-Action Alternative**

- **No-Action Alternative, South Option:** Currently, the residence at 4541 Clayton Street is situated 83 feet from the existing viaduct. The replacement viaduct would be widened to the south and would be approximately 58 feet closer to this property. There are no direct effects to this resource, since this property would not be subject to temporary or permanent easements or right-of-way (ROW) acquisition for the No-Action Alternative, South Option. It would experience indirect effects in the form of visual and historic setting changes from the reconstruction of the viaduct. The existing viaduct is 24 feet tall at this location, whereas the proposed viaduct would be 26 feet tall. The proposed 12-foot-tall noise walls, which would be placed 25 feet from the resource, do represent a new modern element in the setting of the resource. The widening of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

The proposed viaduct being 25 feet closer diminishes the historic setting of this resource. Currently, there is a vacant lot with trees between this resource and the existing viaduct which serve as a visual buffer from the existing viaduct. Under this alternative, the buffer of the vacant lot with trees will be lost and the proposed viaduct will be adjacent to this resource. This loss of the visual buffer and movement of the proposed viaduct 58 feet closer to this resource will diminish integrity of historic setting, and the relationship of the resource to that historic surrounding. Because the integrity of setting will be diminished to a degree that alters the character of the property's setting that contributes to its historic significance, CDOT has concluded that the project will result in a finding of *adverse effect* to this resource.

This information has been sent concurrently to the project Consulting Parties: City and County of Denver Landmark Preservation Commission, Colorado Preservation, Inc., Historic Denver, Inc., and Fairmount Heritage Foundation, and the Fairmount Cemetery Company. Any response from them will be forwarded to you. We request your concurrence with the above revised Determination of Effect. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



Charles Attardo  
Region 1 Planning and Environmental Manager

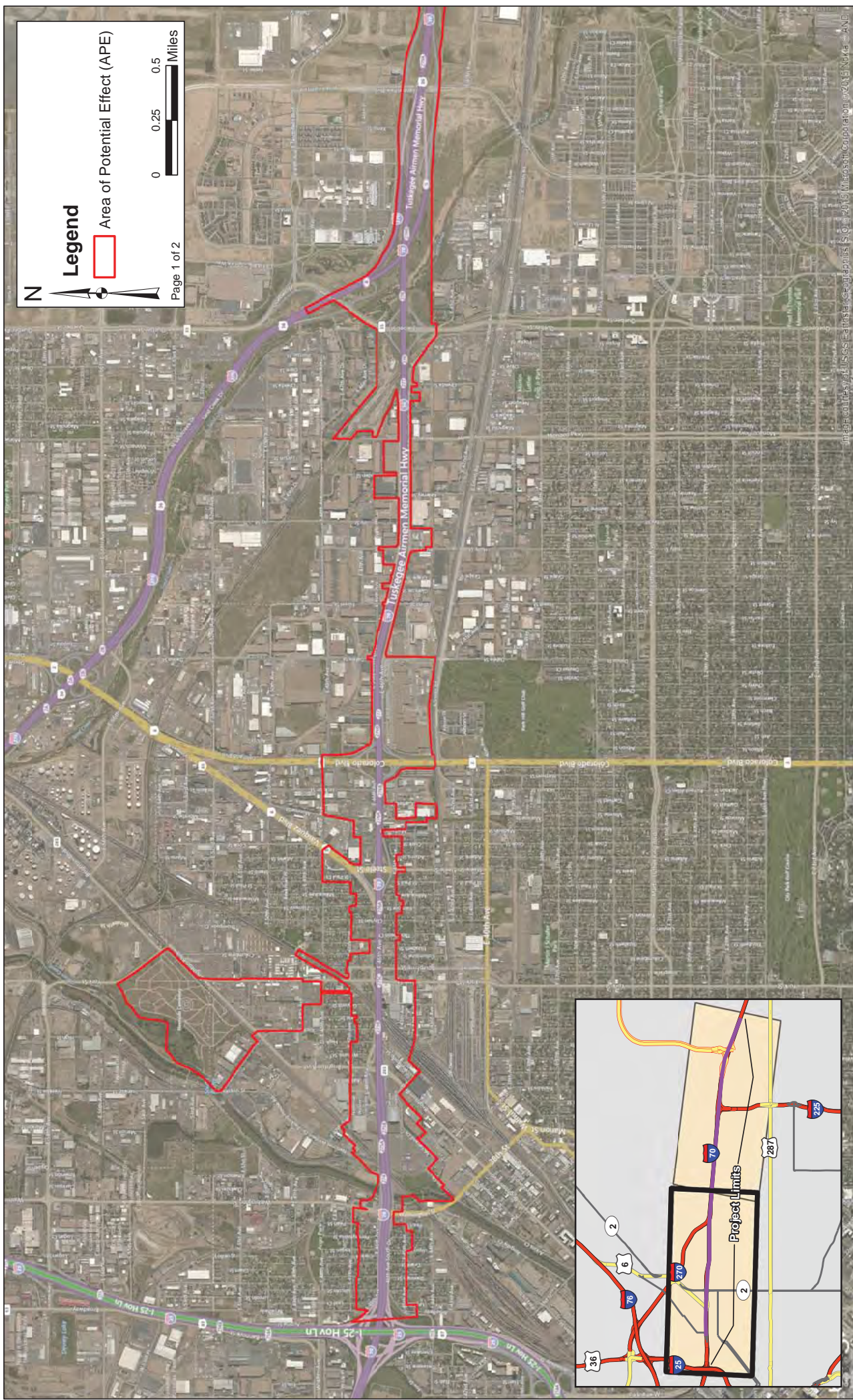
CC:

Vanessa Henderson, I 70 East CDOT NEPA Manager  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)  
Jennifer Wahlers, Historian (Pinyon Environmental, Inc.)

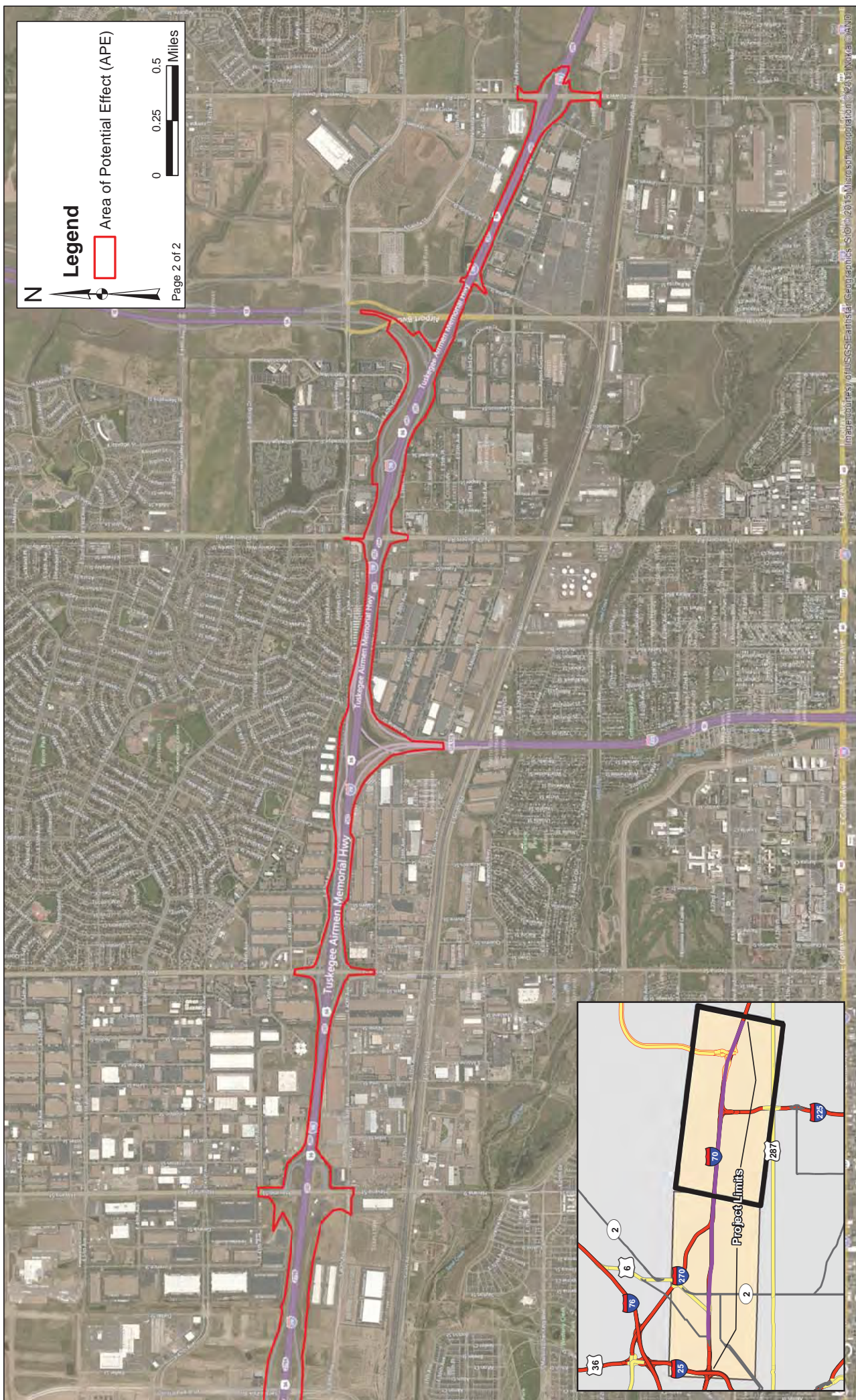
Attachment I- Appendix Y  
Revised APE- April 29, 2015











Attachment I- Appendix Z  
Correspondence from SHPO to CDOT  
May 7, 2015







May 7, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Determinations of Effect: Response to Comments: Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-Evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your additional information correspondence dated and received by email on April 29, 2015. After review of the provided information, we concur with the recommended finding of *adverse effect* under Section 106 for resource 5DV.9679 under the No-Action Alternative, South Option.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

 Edward C. Nichols  
State Historic Preservation Officer



Attachment I- Appendix AA  
Correspondence from Consulting Parties to  
CDOT Regarding April 29, 2015 Submittal





STATE OF  
COLORADO

Bushey - CDOT, Ashley &lt;ashley.bushey@state.co.us&gt;

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RE: I70E Comment Resolution: Revised Effect Determination

1 message

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Gause, George - Community Planning and Development  
<George.Gause@denvergov.org>  
To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>Fri, May 1, 2015 at 7:44  
AM

Ashley,

Denver Landmark is in agreement with the change. Thanks

George Gause | Senior City Planner-Landmark Preservation  
Community Planning & Development | Planning ServicesCity and County of Denver  
720.865.2929 | [george.gause@denvergov.org](mailto:george.gause@denvergov.org)  
[DenverGov.org/CPD](http://DenverGov.org/CPD) | @DenverCPD | Take our Survey  
The Landmark Preservation Commission (LPC) filing deadline increases to four (4) weeks prior to  
each meeting in 2015.

Comments and correspondence concerning proposals or applications are based on information received by the requestor and a comparison of that information and the Secretary of the Interior's Standards, Design Guidelines for Landmark Structures and Districts, Landmark Preservation Ordinance; Chapter 30 Revised Municipal Code and other applicable adopted guidelines. Staff is providing these comments for informal informational purposes only. These comments do not replace the formal design review process. More specific answers to a proposal can only be given after full review of the required documentation is accomplished. Landmark staff is not responsible for building or zoning review. Please submit plans to those agencies for comment.

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From: Bushey - CDOT, Ashley [mailto:[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)]

Sent: Wednesday, April 29, 2015 12:42 PM

To: Patricia Carmody: Fairmount Heritage Foundation; Roxanne Eflin; John Olson, HDI Director of Preservation Programs; Gause, George - Community Planning and Development; Kelly Briggs; Dominick Sekich

Subject: I70E Comment Resolution: Revised Effect Determination

Good Afternoon I-70 East Consulting Parties:

As you know, the 45-day review period for the revised Section 106 Effects Report for the proposed I-70 East Corridor Improvements closed Monday April 27, 2015. Many thanks for your time and expertise in reviewing that document.

Only one change was proposed under this review, derived from the SHPO office. SHPO requested the determination for resource 5DV9679 under the No-Action Alternative, South Option be changed from no adverse effect to adverse effect. A letter outlining the request is attached.

CDOT agrees with the rationale offered by SHPO, and has revised the finding. A letter outlining the change and new effect language for the resource is also attached. Once concurrence is received, new, final effects reports will be printed and delivered to your respective offices. Please note that this comment resolution does not re-initiate the 30-day review period. Should you have comments on the revised effect determination, please forward them by the end of this week.

As a reminder, comments on the film are due on Monday May 4, 2015 per our discussion at the last consulting party meeting. I will be meeting with Havey Productions to review our thoughts, comments, and requests for revision on Wednesday morning May 6, 2015.

Best,

Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental

P 303.757.9397 | F 303.757.9036

2000 South Holly Street, Second Floor Denver, CO 80222

[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) | [www.coloradodot.info](http://www.coloradodot.info) | [www.cotrip.org](http://www.cotrip.org)

Attachment I- Appendix AB  
Correspondence from CDOT to SHPO and  
Consulting Parties  
May 4, 2015







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

May 4, 2015

Mr. Edward C. Nichols  
State Historic Preservation Officer  
History Colorado  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Section 106 APE Modification, Additional Eligibility and Effect Determinations,  
Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact  
Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Nichols:

This letter and attached materials constitute a request for concurrence on modifications to the Area of Potential Effects (APE), determinations of eligibility and for ten (10) additional resources located within the modified APE, and determinations of effect for these resources in conjunction with the Interstate 70 East (I-70E) Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The footprint of the Partial Cover Lowered (PCL) alternative has been slightly altered, necessitating the alteration of the APE and review of newly added properties for National Register of Historic Preservation (NRHP) eligibility and Section 106 effects.

### **APE Modification**

Two modifications to the APE are proposed under this consultation; the first to accommodate design changes resulting in the expansion of the PCL footprint and addition of eight (8) previously unrecorded resources, and the second to incorporate two historic districts into the APE to account for noise impacts anticipated under all project alternatives.

*APE Modification 1:* The APE was expanded to accommodate minor design modifications at the following locations: the northern and southern ends of the APE around the Union Pacific Railroad, along the front and rear of 4650 Steele Street, and expanded slightly along Colorado Boulevard, Dahlia Street, Glencoe Street, and Holly Street. At 4600 Elizabeth Street and 4700 Elizabeth Street the APE was expanded to include two vacant lots that will be incorporated into the Swansea Elementary School future property plan. The APE was also expanded at the southern end of the Market Lead Railroad/ Chicago, Burlington and Quincy Railroad Segment (5AM1298.2), at 3600 E 46<sup>th</sup> Avenue, 4650 Steele Street, 42245 E 46<sup>th</sup> Avenue, and 4801 E 46<sup>th</sup> Avenue. The APE was also expanded slightly along both Stapleton Drive North and Stapleton Drive South, a portion of Quebec Street north of I-70, the interchange area between Interstate 270 and I-70, some areas along Havana Street and Peoria Street, and a few minor locations north of I-70 and east of Havana Street with commercial properties that are not yet fifty years old. The final areas where the APE was minimally expanded are at the interchange with Interstate 225, North Chambers Road, near Airport Boulevard, and at Pagosa Street. Please reference the attached APE graphic for additional information.

**APE Modification 2:** The APE was widened both north and south of I-70E between Interstate 25 (I-25) and Washington Street to account for anticipated noise impacts under all alternatives. Two potentially eligible historic districts are located adjacent to I-70E in this location: Globeville Historic District to the north, and Garden Place Historic District to the south. The APE line was drawn to incorporate the location of noise receptors, which measured the extent and magnitude of current and projected noise impacts in the area. In keeping with the treatment of other historic districts currently within the APE, the entire historic district was not included in the APE. Please refer to the attached APE graphic for additional information.

### **Methodology**

**APE Modification 1:** All resources within the expanded APE that meet or exceed 45 years of age were surveyed and recorded on Architectural Inventory Forms (OAHP Form 1403). This resulted in the completion of eight new site forms. In addition, the historic resource boundary for a previously recorded segment of the Beltline Railroad (5AM2083.1) was expanded to include the associated switching yard and staging area.

**APE Modification 2:** The Globeville and Garden Place Historic Districts were evaluated in 1983, and are currently under re-evaluation by cultural resource staff for the subject project. Eligibility and effects consultation for these resources will be submitted separately, and these districts are not further addressed in this submission.

### **Eligibility Determinations**

**Union Pacific Beltline Railroad Segment (5AM2083.1):** The subject segment of the Union Pacific Beltline Railroad was previously determined *officially eligible*. This recordation served to expand the boundaries to include a switching station and maintenance yard associated with the railroad and located just north of I-70 and Quebec Street. This expanded area supports the integrity of the linear resource and the resource retains enough integrity to support significance under Criterion A for association with the business and commercial development of Denver and the broad history of Colorado and the expansion of transportation and commerce in the west. The expanded segment is considered *supporting* of the overall eligibility of resource 5AM2083, the Union Pacific Beltline Railroad.

**Mobil Oil Company (5DV11717):** The Mobile Oil Company, located at 4545 Holly Street, is a commercial building constructed in 1964. The resource is not significant under Criterion A as there is no evidence that it is associated with events that have made a significant contribution to the broad pattern of history. Historical research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The building was constructed as a typical commercial warehouse/office building, but exhibits limited characteristics of a specific architectural style or type. Finally, the resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. Although the building possesses some elements of the modern movements style in the use of narrow windows with horizontal lines and brickwork that emphasize the horizontal feeling of the building; these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and is not integrated into the overall design. Because the resource lacks significance, it is *not eligible* to the National Register of Historic Places (NRHP).

**Byrd Sales Company, Inc. Warehouse (5DV11719):** The Byrd Sales Company Warehouse, located at 6800 East Stapleton Drive South, was constructed in 1966 and features a brick clad entryway and office on the north portion of a larger warehouse and shop building. The resource is not significant under Criterion A as there is no evidence of association with events that have made a significant contribution to the broad pattern of history. The building was constructed as a typical commercial warehouse/office building. Historic research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or

represent the work of a master. Although the building possesses elements of the modern movements style in the use of narrow vertical windows and the decorative stonework, emphasizing a vertical sense of building, these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and overwhelms the delicate elements of the windows and brick details over the windows. Because the resource lacks significance, it is *not eligible* to the NRHP.

**Banker's Warehouse Company (5DV11720):** The Banker's Warehouse Company resource consists of two warehouse buildings and a separate office building, all located at 4303 Brighton Boulevard. The warehouse buildings now house the Forney Transportation Museum, while the office building houses another business. The Banker's Warehouse Company resource is significant under Criterion C. The main warehouse building has been heavily modified when it was transformed into the Forney Transportation Museum, and the secondary warehouse building- noted as Building 2 in the site form- is a-stylistic. The office building, however, is a good example of a modern movement office building as it contains an emphasis on horizontal massing and features ribbons of windows divided by thin steel frames. The building was modified in 1995 with the construction of a large addition along the rear of the building, and the alteration of fenestration openings on the east and west elevations. Although a large addition was constructed, it was built to the rear of the building and does not detract from the character defining features of the building, including the low, horizontal orientation or the ribbons of windows. In addition, the altered fenestration openings on the east and west elevations are not prominent and likewise, do not detract from the modern visual aesthetic of the building. Although the integrity of design of the office building was altered, it still retains sufficient integrity of materials, workmanship, feeling, association, and location to support its significance to the NRHP. The Banker's Warehouse Company is *eligible* to the NRHP.

**CDOT Havana Maintenance Yard (5DV11721):** Constructed in 1967 and located at 4375 Havana Street, this resource consists of a maintenance office/garage building and associated sand storage shed and ancillary features. The resource is not significant under Criterion A as there is no association between the property and events that have made a significant contribution to the broad pattern of history. It is not associated with the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction or represent the work of a master. The resource is a simple office and garage storage building that is not reflective of any particular architectural style or a type of construction. It is a simple utilitarian building clad in metal siding and topped with a metal roof. Based on aerial photography, the sand storage shed is not yet fifty years old. Because the resource lacks significance, the resource is *not eligible* the NRHP.

**Silver Fox Restaurant (5DV11722):** The Silver Fox Restaurant is a former restaurant property located at 4570 Glencoe Street. The resource was constructed in 1967 and is currently vacant. It is not significant under Criterion A because it has not contributed to the broad pattern of history. The building has not been part of a significant transportation or commercial development in the north Denver area. The resource is not eligible under Criterion B because no significant individuals are associated with the property. The resource is not significant under Criterion C because it is not a significant example of any architectural type. The mix of exterior materials, roofing styles, and window types make this resource an a-stylistic building lacking comprehensive commitment to a specific style. The resource is *not eligible* to the NRHP.

**Murray and Stafford Property (5DV11723):** The Murray and Stafford Property is an industrial commercial property and warehouse located at 6405 East Stapleton Drive Site. The resource was constructed in 1967. The resource is not associated with events that have made a significant contribution to the broad pattern of our history and therefore is not significant under Criterion A. It is currently utilized as a beverage plant for Safeway; however, it is located outside the Safeway Distribution Center Historic District. The resource was constructed later than the distribution center and was not historically related to the distribution



center. It is not significant under Criterion B as no association between the resource and persons significant in the past could be determined. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. The building is an a-stylistic warehouse building with very few character defining features that connect the building to a particular architectural style. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**John Deere Parts (5DV11724):** The John Deere Parts facility, located at 6101 East Stapleton Drive North, was constructed in 1967 and has served in the same capacity since its construction. Though it is a distribution warehouse for a large manufacturing company, there are numerous distribution warehouses for John Deere across the company and this particular warehouse does not hold any unique significance or importance in the growth or development of the company, which is headquartered in Illinois. In addition, it is not significant under Criterion B because there is no association between the resource and the lives of persons significant in the past. The building is also not significant under Criterion C as it does not embody the distinctive characteristics of a type, period or method of construction, or represent the work of a master. The building does not possess any distinctive characteristics of a particular architectural style and lacks any noteworthy features that warrant preservation. The building is a large warehouse with few stylistic elements, besides applied stacked stone utilized on a small portion of the southwest corner of the building where the office is located. The rest of the building lacks any embellishments or significant executions of methods of construction or characteristics of a type, or period of construction. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**KBP Coil Coaters (5DV11725):** KBP Coil Coaters is a large, rectangular plan warehouse/commercial building located at 3600 East 44<sup>th</sup> Avenue. The resource was constructed in 1967 and is capped with a distinctive plate roof form. Archival research found no indication that this resource is associated with events that have made a significant contribution to the broad pattern of history, nor is it associated with persons significant in the past; the resource is not significant under Criteria A or B. Although the building possess elements of the international or Modern Contemporary styles, including horizontal emphasis, asymmetry, and ribbons of glass windows, it has been heavily modified with alterations and two large additions, and it is missing several defining characteristics of both styles. Also, the building dates to 1969, which is not contemporaneous with the international style or its revival in the 1970s. The resource is not eligible under Criterion C. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

### **Effects Determinations**

#### **Union Pacific Beltline Railroad Segment (5AM2083.1):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effects to this resource under the No-Action Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
  - **No-Action Alternative, South Option:** The effects to this resource under the No-Action Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effects to this resource under the Revised Viaduct Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office

concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.

- **Revised Viaduct Alternative, South Option:** The effects to this resource under the Revised Viaduct Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.
- **Partial Cover Lowered Alternative:** Under this alternative, a new bridge would be constructed over the railroad, and a wall will be built within the historic resource boundary. In order to construct these features, approximately 14,250 square feet will be acquired from the historic resource boundary. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. Several features already cross the entire length of the railroad and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although integrity of setting may be impacted, the integrity of design and association would remain and the proposed work would not diminish the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no adverse effect*.

**Mobil Oil Co. (5DV11717):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial acquisition of right-of-way (ROW). The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Byrd Sales Co. Inc. Warehouse (SDV11719):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial ROW acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Banker's Warehouse Co. (SDV11720):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would not necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.  
  
There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of *no adverse effect* to the resource.
  - **No-Action Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of the I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Partial Cover Lowered Alternative:** This resource is located 987 feet from the existing viaduct. I-70 west of Brighton Boulevard would remain in place and improvements associated with the Partial Cover Lowered structure would start east of Brighton Boulevard. There would, however, be an acquisition of approximately 1,515 square feet from the northwest corner of the resource in order to construct a retaining wall and box culvert. The area where the acquisition will occur is vacant, covered in overgrown grass, and sits on a lower topography than the buildings. The building closest to the acquisition location, Building 3, is situated high atop a bluff and the wall and box culvert would not be visible from the building. Because the improvements proposed under the Partial Cover Lowered Alternative would not impact the character defining features of the property or its ability to convey its significance under Criterion C for architecture, CDOT has determined that this alternative would result in a finding of *no adverse effect*.



**CDOT Havana Maintenance Yard (5DV11721):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to the full of acquisition of the property under the modified option. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Silver Fox Restaurant (5DV11722):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct

Alternative, South Option would result in the determination of *no historic properties affected*.

- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of this property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Murray and Stafford Property (5DV11723):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of the property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**John Deere Parts (5DV11724):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the

resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.

- **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

#### **KBP Coil Coaters (5DV11725):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to acquisition of a permanent easement. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

This information has been sent concurrently to the Consulting Parties participating in the Section 106 process for this project: City and County of Denver Landmark Preservation Commission, Colorado Preservation, Inc., Historic Denver, Inc., Fairmount Heritage Foundation, and the Fairmount Cemetery Company. We request your comments on the revised APE and concurrence with the Determinations of Eligibility and Effects outlined above. If you require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Vanessa Henderson, CDOT NEPA Lead  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:  
Revised APE map  
Site Forms (5DV5AM2083.1, 5DV11717, 5DV11719, 5DV11720, 5DV11721, 5DV11722, 5DV11723, 5DV11724, 5DV11725)







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

May 4, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

**SUBJECT:** Section 106 APE Modification, Additional Eligibility and Effect Determinations,  
Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact  
Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Gause:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE), determinations of eligibility and for ten (10) additional resources located within the modified APE, and determinations of effect for these resources in conjunction with the Interstate 70 East (I-70E) Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The footprint of the Partial Cover Lowered (PCL) alternative has been slightly altered, necessitating the alteration of the APE and review of newly added properties for National Register of Historic Preservation (NRHP) eligibility and Section 106 effects.

### **APE Modification**

Two modifications to the APE are proposed under this consultation; the first to accommodate design changes resulting in the expansion of the PCL footprint and addition of eight (8) previously unrecorded resources, and the second to incorporate two historic districts into the APE to account for noise impacts anticipated under all project alternatives.

*APE Modification 1:* The APE was expanded to accommodate minor design modifications at the following locations: the northern and southern ends of the APE around the Union Pacific Railroad, along the front and rear of 4650 Steele Street, and expanded slightly along Colorado Boulevard, Dahlia Street, Glencoe Street, and Holly Street. At 4600 Elizabeth Street and 4700 Elizabeth Street the APE was expanded to include two vacant lots that will be incorporated into the Swansea Elementary School future property plan. The APE was also expanded at the southern end of the Market Lead Railroad/ Chicago, Burlington and Quincy Railroad Segment (5AM1298.2), at 3600 E 46<sup>th</sup> Avenue, 4650 Steele Street, 42245 E 46<sup>th</sup> Avenue, and 4801 E 46<sup>th</sup> Avenue. The APE was also expanded slightly along both Stapleton Drive North and Stapleton Drive South, a portion of Quebec Street north of I-70, the interchange area between Interstate 270 and I-70, some areas along Havana Street and Peoria Street, and a few minor locations north of I-70 and east of Havana Street with commercial properties that are not yet fifty years old. The final areas where the APE was minimally expanded are at the interchange with Interstate 225, North Chambers Road, near Airport Boulevard, and at Pagosa Street. Please reference the attached APE graphic for additional information.

**APE Modification 2:** The APE was widened both north and south of I-70E between Interstate 25 (I-25) and Washington Street to account for anticipated noise impacts under all alternatives. Two potentially eligible historic districts are located adjacent to I-70E in this location: Globeville Historic District to the north, and Garden Place Historic District to the south. The APE line was drawn to incorporate the location of noise receptors, which measured the extent and magnitude of current and projected noise impacts in the area. In keeping with the treatment of other historic districts currently within the APE, the entire historic district was not included in the APE. Please refer to the attached APE graphic for additional information.

### **Methodology**

**APE Modification 1:** All resources within the expanded APE that meet or exceed 45 years of age were surveyed and recorded on Architectural Inventory Forms (OAHP Form 1403). This resulted in the completion of eight new site forms. In addition, the historic resource boundary for a previously recorded segment of the Beltline Railroad (5AM2083.1) was expanded to include the associated switching yard and staging area.

**APE Modification 2:** The Globeville and Garden Place Historic Districts were evaluated in 1983, and are currently under re-evaluation by cultural resource staff for the subject project. Eligibility and effects consultation for these resources will be submitted separately, and these districts are not further addressed in this submission.

### **Eligibility Determinations**

**Union Pacific Beltline Railroad Segment (5AM2083.1):** The subject segment of the Union Pacific Beltline Railroad was previously determined *officially eligible*. This recordation served to expand the boundaries to include a switching station and maintenance yard associated with the railroad and located just north of I-70 and Quebec Street. This expanded area supports the integrity of the linear resource and the resource retains enough integrity to support significance under Criterion A for association with the business and commercial development of Denver and the broad history of Colorado and the expansion of transportation and commerce in the west. The expanded segment is considered *supporting* of the overall eligibility of resource 5AM2083, the Union Pacific Beltline Railroad.

**Mobil Oil Company (5DV11717):** The Mobile Oil Company, located at 4545 Holly Street, is a commercial building constructed in 1964. The resource is not significant under Criterion A as there is no evidence that it is associated with events that have made a significant contribution to the broad pattern of history. Historical research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The building was constructed as a typical commercial warehouse/office building, but exhibits limited characteristics of a specific architectural style or type. Finally, the resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. Although the building possesses some elements of the modern movements style in the use of narrow windows with horizontal lines and brickwork that emphasize the horizontal feeling of the building; these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and is not integrated into the overall design. Because the resource lacks significance, it is *not eligible* to the National Register of Historic Places (NRHP).

**Byrd Sales Company, Inc. Warehouse (5DV11719):** The Byrd Sales Company Warehouse, located at 6800 East Stapleton Drive South, was constructed in 1966 and features a brick clad entryway and office on the north portion of a larger warehouse and shop building. The resource is not significant under Criterion A as there is no evidence of association with events that have made a significant contribution to the broad pattern of history. The building was constructed as a typical commercial warehouse/office building. Historic research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or

represent the work of a master. Although the building possesses elements of the modern movements style in the use of narrow vertical windows and the decorative stonework, emphasizing a vertical sense of building, these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and overwhelms the delicate elements of the windows and brick details over the windows. Because the resource lacks significance, it is *not eligible* to the NRHP.

**Banker's Warehouse Company (5DV11720):** The Banker's Warehouse Company resource consists of two warehouse buildings and a separate office building, all located at 4303 Brighton Boulevard. The warehouse buildings now house the Forney Transportation Museum, while the office building houses another business. The Banker's Warehouse Company resource is significant under Criterion C. The main warehouse building has been heavily modified when it was transformed into the Forney Transportation Museum, and the secondary warehouse building- noted as Building 2 in the site form- is a-stylistic. The office building, however, is a good example of a modern movement office building as it contains an emphasis on horizontal massing and features ribbons of windows divided by thin steel frames. The building was modified in 1995 with the construction of a large addition along the rear of the building, and the alteration of fenestration openings on the east and west elevations. Although a large addition was constructed, it was built to the rear of the building and does not detract from the character defining features of the building, including the low, horizontal orientation or the ribbons of windows. In addition, the altered fenestration openings on the east and west elevations are not prominent and likewise, do not detract from the modern visual aesthetic of the building. Although the integrity of design of the office building was altered, it still retains sufficient integrity of materials, workmanship, feeling, association, and location to support its significance to the NRHP. The Banker's Warehouse Company is *eligible* to the NRHP.

**CDOT Havana Maintenance Yard (5DV11721):** Constructed in 1967 and located at 4375 Havana Street, this resource consists of a maintenance office/garage building and associated sand storage shed and ancillary features. The resource is not significant under Criterion A as there is no association between the property and events that have made a significant contribution to the broad pattern of history. It is not associated with the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction or represent the work of a master. The resource is a simple office and garage storage building that is not reflective of any particular architectural style or a type of construction. It is a simple utilitarian building clad in metal siding and topped with a metal roof. Based on aerial photography, the sand storage shed is not yet fifty years old. Because the resource lacks significance, the resource is *not eligible* the NRHP.

**Silver Fox Restaurant (5DV11722):** The Silver Fox Restaurant is a former restaurant property located at 4570 Glencoe Street. The resource was constructed in 1967 and is currently vacant. It is not significant under Criterion A because it has not contributed to the broad pattern of history. The building has not been part of a significant transportation or commercial development in the north Denver area. The resource is not eligible under Criterion B because no significant individuals are associated with the property. The resource is not significant under Criterion C because it is not a significant example of any architectural type. The mix of exterior materials, roofing styles, and window types make this resource an a-stylistic building lacking comprehensive commitment to a specific style. The resource is *not eligible* to the NRHP.

**Murray and Stafford Property (5DV11723):** The Murray and Stafford Property is an industrial commercial property and warehouse located at 6405 East Stapleton Drive Site. The resource was constructed in 1967. The resource is not associated with events that have made a significant contribution to the broad pattern of our history and therefore is not significant under Criterion A. It is currently utilized as a beverage plant for Safeway; however, it is located outside the Safeway Distribution Center Historic District. The resource was constructed later than the distribution center and was not historically related to the distribution



center. It is not significant under Criterion B as no association between the resource and persons significant in the past could be determined. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. The building is an a-stylistic warehouse building with very few character defining features that connect the building to a particular architectural style. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**John Deere Parts (5DV11724):** The John Deere Parts facility, located at 6101 East Stapleton Drive North, was constructed in 1967 and has served in the same capacity since its construction. Though it is a distribution warehouse for a large manufacturing company, there are numerous distribution warehouses for John Deere across the company and this particular warehouse does not hold any unique significance or importance in the growth or development of the company, which is headquartered in Illinois. In addition, it is not significant under Criterion B because there is no association between the resource and the lives of persons significant in the past. The building is also not significant under Criterion C as it does not embody the distinctive characteristics of a type, period or method of construction, or represent the work of a master. The building does not possess any distinctive characteristics of a particular architectural style and lacks any noteworthy features that warrant preservation. The building is a large warehouse with few stylistic elements, besides applied stacked stone utilized on a small portion of the southwest corner of the building where the office is located. The rest of the building lacks any embellishments or significant executions of methods of construction or characteristics of a type, or period of construction. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**KBP Coil Coaters (5DV11725):** KBP Coil Coaters is a large, rectangular plan warehouse/commercial building located at 3600 East 44<sup>th</sup> Avenue. The resource was constructed in 1967 and is capped with a distinctive plate roof form. Archival research found no indication that this resource is associated with events that have made a significant contribution to the broad pattern of history, nor is it associated with persons significant in the past; the resource is not significant under Criteria A or B. Although the building possess elements of the international or Modern Contemporary styles, including horizontal emphasis, asymmetry, and ribbons of glass windows, it has been heavily modified with alterations and two large additions, and it is missing several defining characteristics of both styles. Also, the building dates to 1969, which is not contemporaneous with the international style or its revival in the 1970s. The resource is not eligible under Criterion C. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

### **Effects Determinations**

#### **Union Pacific Beltline Railroad Segment (5AM2083.1):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effects to this resource under the No-Action Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
  - **No-Action Alternative, South Option:** The effects to this resource under the No-Action Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effects to this resource under the Revised Viaduct Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office

concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.

- **Revised Viaduct Alternative, South Option:** The effects to this resource under the Revised Viaduct Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.
- **Partial Cover Lowered Alternative:** Under this alternative, a new bridge would be constructed over the railroad, and a wall will be built within the historic resource boundary. In order to construct these features, approximately 14,250 square feet will be acquired from the historic resource boundary. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. Several features already cross the entire length of the railroad and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although integrity of setting may be impacted, the integrity of design and association would remain and the proposed work would not diminish the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no adverse effect*.

**Mobil Oil Co. (5DV11717):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial acquisition of right-of-way (ROW). The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Byrd Sales Co. Inc. Warehouse (5DV11719):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial ROW acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Banker's Warehouse Co. (5DV11720):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would not necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of *no adverse effect* to the resource.
  - **No-Action Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of the I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Partial Cover Lowered Alternative:** This resource is located 987 feet from the existing viaduct. I-70 west of Brighton Boulevard would remain in place and improvements associated with the Partial Cover Lowered structure would start east of Brighton Boulevard. There would, however, be an acquisition of approximately 1,515 square feet from the northwest corner of the resource in order to construct a retaining wall and box culvert. The area where the acquisition will occur is vacant, covered in overgrown grass, and sits on a lower topography than the buildings. The building closest to the acquisition location, Building 3, is situated high atop a bluff and the wall and box culvert would not be visible from the building. Because the improvements proposed under the Partial Cover Lowered Alternative would not impact the character defining features of the property or its ability to convey its significance under Criterion C for architecture, CDOT has determined that this alternative would result in a finding of *no adverse effect*.



**CDOT Havana Maintenance Yard (5DV11721):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to the full of acquisition of the property under the modified option. The resource is **not** eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Silver Fox Restaurant (5DV11722):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct

Alternative, South Option would result in the determination of *no historic properties affected*.

- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of this property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Murray and Stafford Property (5DV11723):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of the property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**John Deere Parts (5DV11724):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the

resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.

- **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

#### **KBP Coil Coaters (5DV11725):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to acquisition of a permanent easement. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

As a local government with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or ashley.bushey@state.co.us.

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Vanessa Henderson, CDOT NEPA Lead  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

Revised APE map  
Site Forms (5DV5AM2083.1, 5DV11717, 5DV11719, 5DV11720, 5DV11721, 5DV11722, 5DV11723, 5DV11724, 5DV11725)







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

May 4, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Section 106 APE Modification, Additional Eligibility and Effect Determinations,  
Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact  
Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Briggs:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE), determinations of eligibility and for ten (10) additional resources located within the modified APE, and determinations of effect for these resources in conjunction with the Interstate 70 East (I-70E) Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The footprint of the Partial Cover Lowered (PCL) alternative has been slightly altered, necessitating the alteration of the APE and review of newly added properties for National Register of Historic Preservation (NRHP) eligibility and Section 106 effects.

### **APE Modification**

Two modifications to the APE are proposed under this consultation; the first to accommodate design changes resulting in the expansion of the PCL footprint and addition of eight (8) previously unrecorded resources, and the second to incorporate two historic districts into the APE to account for noise impacts anticipated under all project alternatives.

*APE Modification 1:* The APE was expanded to accommodate minor design modifications at the following locations: the northern and southern ends of the APE around the Union Pacific Railroad, along the front and rear of 4650 Steele Street, and expanded slightly along Colorado Boulevard, Dahlia Street, Glencoe Street, and Holly Street. At 4600 Elizabeth Street and 4700 Elizabeth Street the APE was expanded to include two vacant lots that will be incorporated into the Swansea Elementary School future property plan. The APE was also expanded at the southern end of the Market Lead Railroad/ Chicago, Burlington and Quincy Railroad Segment (5AM1298.2), at 3600 E 46<sup>th</sup> Avenue, 4650 Steele Street, 42245 E 46<sup>th</sup> Avenue, and 4801 E 46<sup>th</sup> Avenue. The APE was also expanded slightly along both Stapleton Drive North and Stapleton Drive South, a portion of Quebec Street north of I-70, the interchange area between Interstate 270 and I-70, some areas along Havana Street and Peoria Street, and a few minor locations north of I-70 and east of Havana Street with commercial properties that are not yet fifty years old. The final areas where the APE was minimally expanded are at the interchange with Interstate 225, North Chambers Road, near Airport Boulevard, and at Pagosa Street. Please reference the attached APE graphic for additional information.

**APE Modification 2:** The APE was widened both north and south of I-70E between Interstate 25 (I-25) and Washington Street to account for anticipated noise impacts under all alternatives. Two potentially eligible historic districts are located adjacent to I-70E in this location: Globeville Historic District to the north, and Garden Place Historic District to the south. The APE line was drawn to incorporate the location of noise receptors, which measured the extent and magnitude of current and projected noise impacts in the area. In keeping with the treatment of other historic districts currently within the APE, the entire historic district was not included in the APE. Please refer to the attached APE graphic for additional information.

### **Methodology**

**APE Modification 1:** All resources within the expanded APE that meet or exceed 45 years of age were surveyed and recorded on Architectural Inventory Forms (OAHP Form 1403). This resulted in the completion of eight new site forms. In addition, the historic resource boundary for a previously recorded segment of the Beltline Railroad (5AM2083.1) was expanded to include the associated switching yard and staging area.

**APE Modification 2:** The Globeville and Garden Place Historic Districts were evaluated in 1983, and are currently under re-evaluation by cultural resource staff for the subject project. Eligibility and effects consultation for these resources will be submitted separately, and these districts are not further addressed in this submission.

### **Eligibility Determinations**

**Union Pacific Beltline Railroad Segment (5AM2083.1):** The subject segment of the Union Pacific Beltline Railroad was previously determined *officially eligible*. This recordation served to expand the boundaries to include a switching station and maintenance yard associated with the railroad and located just north of I-70 and Quebec Street. This expanded area supports the integrity of the linear resource and the resource retains enough integrity to support significance under Criterion A for association with the business and commercial development of Denver and the broad history of Colorado and the expansion of transportation and commerce in the west. The expanded segment is considered *supporting* of the overall eligibility of resource 5AM2083, the Union Pacific Beltline Railroad.

**Mobil Oil Company (5DV11717):** The Mobile Oil Company, located at 4545 Holly Street, is a commercial building constructed in 1964. The resource is not significant under Criterion A as there is no evidence that it is associated with events that have made a significant contribution to the broad pattern of history. Historical research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The building was constructed as a typical commercial warehouse/office building, but exhibits limited characteristics of a specific architectural style or type. Finally, the resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. Although the building possesses some elements of the modern movements style in the use of narrow windows with horizontal lines and brickwork that emphasize the horizontal feeling of the building; these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and is not integrated into the overall design. Because the resource lacks significance, it is *not eligible* to the National Register of Historic Places (NRHP).

**Byrd Sales Company, Inc. Warehouse (5DV11719):** The Byrd Sales Company Warehouse, located at 6800 East Stapleton Drive South, was constructed in 1966 and features a brick clad entryway and office on the north portion of a larger warehouse and shop building. The resource is not significant under Criterion A as there is no evidence of association with events that have made a significant contribution to the broad pattern of history. The building was constructed as a typical commercial warehouse/office building. Historic research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or

represent the work of a master. Although the building possesses elements of the modern movements style in the use of narrow vertical windows and the decorative stonework, emphasizing a vertical sense of building, these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and overwhelms the delicate elements of the windows and brick details over the windows. Because the resource lacks significance, it is *not eligible* to the NRHP.

**Banker's Warehouse Company (5DV11720):** The Banker's Warehouse Company resource consists of two warehouse buildings and a separate office building, all located at 4303 Brighton Boulevard. The warehouse buildings now house the Forney Transportation Museum, while the office building houses another business. The Banker's Warehouse Company resource is significant under Criterion C. The main warehouse building has been heavily modified when it was transformed into the Forney Transportation Museum, and the secondary warehouse building- noted as Building 2 in the site form- is a-stylistic. The office building, however, is a good example of a modern movement office building as it contains an emphasis on horizontal massing and features ribbons of windows divided by thin steel frames. The building was modified in 1995 with the construction of a large addition along the rear of the building, and the alteration of fenestration openings on the east and west elevations. Although a large addition was constructed, it was built to the rear of the building and does not detract from the character defining features of the building, including the low, horizontal orientation or the ribbons of windows. In addition, the altered fenestration openings on the east and west elevations are not prominent and likewise, do not detract from the modern visual aesthetic of the building. Although the integrity of design of the office building was altered, it still retains sufficient integrity of materials, workmanship, feeling, association, and location to support its significance to the NRHP. The Banker's Warehouse Company is *eligible* to the NRHP.

**CDOT Havana Maintenance Yard (5DV11721):** Constructed in 1967 and located at 4375 Havana Street, this resource consists of a maintenance office/garage building and associated sand storage shed and ancillary features. The resource is not significant under Criterion A as there is no association between the property and events that have made a significant contribution to the broad pattern of history. It is not associated with the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction or represent the work of a master. The resource is a simple office and garage storage building that is not reflective of any particular architectural style or a type of construction. It is a simple utilitarian building clad in metal siding and topped with a metal roof. Based on aerial photography, the sand storage shed is not yet fifty years old. Because the resource lacks significance, the resource is *not eligible* the NRHP.

**Silver Fox Restaurant (5DV11722):** The Silver Fox Restaurant is a former restaurant property located at 4570 Glencoe Street. The resource was constructed in 1967 and is currently vacant. It is not significant under Criterion A because it has not contributed to the broad pattern of history. The building has not been part of a significant transportation or commercial development in the north Denver area. The resource is not eligible under Criterion B because no significant individuals are associated with the property. The resource is not significant under Criterion C because it is not a significant example of any architectural type. The mix of exterior materials, roofing styles, and window types make this resource an a-stylistic building lacking comprehensive commitment to a specific style. The resource is *not eligible* to the NRHP.

**Murray and Stafford Property (5DV11723):** The Murray and Stafford Property is an industrial commercial property and warehouse located at 6405 East Stapleton Drive Site. The resource was constructed in 1967. The resource is not associated with events that have made a significant contribution to the broad pattern of our history and therefore is not significant under Criterion A. It is currently utilized as a beverage plant for Safeway; however, it is located outside the Safeway Distribution Center Historic District. The resource was constructed later than the distribution center and was not historically related to the distribution



center. It is not significant under Criterion B as no association between the resource and persons significant in the past could be determined. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. The building is an a-stylistic warehouse building with very few character defining features that connect the building to a particular architectural style. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**John Deere Parts (5DV11724):** The John Deere Parts facility, located at 6101 East Stapleton Drive North, was constructed in 1967 and has served in the same capacity since its construction. Though it is a distribution warehouse for a large manufacturing company, there are numerous distribution warehouses for John Deere across the company and this particular warehouse does not hold any unique significance or importance in the growth or development of the company, which is headquartered in Illinois. In addition, it is not significant under Criterion B because there is no association between the resource and the lives of persons significant in the past. The building is also not significant under Criterion C as it does not embody the distinctive characteristics of a type, period or method of construction, or represent the work of a master. The building does not possess any distinctive characteristics of a particular architectural style and lacks any noteworthy features that warrant preservation. The building is a large warehouse with few stylistic elements, besides applied stacked stone utilized on a small portion of the southwest corner of the building where the office is located. The rest of the building lacks any embellishments or significant executions of methods of construction or characteristics of a type, or period of construction. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**KBP Coil Coaters (5DV11725):** KBP Coil Coaters is a large, rectangular plan warehouse/commercial building located at 3600 East 44<sup>th</sup> Avenue. The resource was constructed in 1967 and is capped with a distinctive plate roof form. Archival research found no indication that this resource is associated with events that have made a significant contribution to the broad pattern of history, nor is it associated with persons significant in the past; the resource is not significant under Criteria A or B. Although the building possess elements of the international or Modern Contemporary styles, including horizontal emphasis, asymmetry, and ribbons of glass windows, it has been heavily modified with alterations and two large additions, and it is missing several defining characteristics of both styles. Also, the building dates to 1969, which is not contemporaneous with the international style or its revival in the 1970s. The resource is not eligible under Criterion C. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

### **Effects Determinations**

#### **Union Pacific Beltline Railroad Segment (5AM2083.1):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effects to this resource under the No-Action Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
  - **No-Action Alternative, South Option:** The effects to this resource under the No-Action Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effects to this resource under the Revised Viaduct Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office

concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.

- **Revised Viaduct Alternative, South Option:** The effects to this resource under the Revised Viaduct Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.
- **Partial Cover Lowered Alternative:** Under this alternative, a new bridge would be constructed over the railroad, and a wall will be built within the historic resource boundary. In order to construct these features, approximately 14,250 square feet will be acquired from the historic resource boundary. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. Several features already cross the entire length of the railroad and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although integrity of setting may be impacted, the integrity of design and association would remain and the proposed work would not diminish the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no adverse effect*.

**Mobil Oil Co. (5DV11717):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial acquisition of right-of-way (ROW). The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Byrd Sales Co. Inc. Warehouse (5DV11719):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial ROW acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Banker's Warehouse Co. (5DV11720):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would not necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.  
  
There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of *no adverse effect* to the resource.
  - **No-Action Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of the I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Partial Cover Lowered Alternative:** This resource is located 987 feet from the existing viaduct. I-70 west of Brighton Boulevard would remain in place and improvements associated with the Partial Cover Lowered structure would start east of Brighton Boulevard. There would, however, be an acquisition of approximately 1,515 square feet from the northwest corner of the resource in order to construct a retaining wall and box culvert. The area where the acquisition will occur is vacant, covered in overgrown grass, and sits on a lower topography than the buildings. The building closest to the acquisition location, Building 3, is situated high atop a bluff and the wall and box culvert would not be visible from the building. Because the improvements proposed under the Partial Cover Lowered Alternative would not impact the character defining features of the property or its ability to convey its significance under Criterion C for architecture, CDOT has determined that this alternative would result in a finding of *no adverse effect*.



**CDOT Havana Maintenance Yard (5DV11721):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to the full of acquisition of the property under the modified option. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Silver Fox Restaurant (5DV11722):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct

Alternative, South Option would result in the determination of *no historic properties affected*.

- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of this property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Murray and Stafford Property (SDV11723):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of the property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**John Deere Parts (SDV11724):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the

resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.

- **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**KBP Coil Coaters (5DV11725):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to acquisition of a permanent easement. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

Mr. Briggs  
May 4, 2015  
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As a local organization with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or ashley.bushey@state.co.us.

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Vanessa Henderson, CDOT NEPA Lead  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

Revised APE map

Site Forms (5DV5AM2083.1, 5DV11717, 5DV11719, 5DV11720, 5DV11721, 5DV11722, 5DV11723, 5DV11724, 5DV11725)







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

May 4, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

**SUBJECT:** Section 106 APE Modification, Additional Eligibility and Effect Determinations,  
Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact  
Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Eflin:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE), determinations of eligibility and for ten (10) additional resources located within the modified APE, and determinations of effect for these resources in conjunction with the Interstate 70 East (I-70E) Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The footprint of the Partial Cover Lowered (PCL) alternative has been slightly altered, necessitating the alteration of the APE and review of newly added properties for National Register of Historic Preservation (NRHP) eligibility and Section 106 effects.

### **APE Modification**

Two modifications to the APE are proposed under this consultation; the first to accommodate design changes resulting in the expansion of the PCL footprint and addition of eight (8) previously unrecorded resources, and the second to incorporate two historic districts into the APE to account for noise impacts anticipated under all project alternatives.

*APE Modification 1:* The APE was expanded to accommodate minor design modifications at the following locations: the northern and southern ends of the APE around the Union Pacific Railroad, along the front and rear of 4650 Steele Street, and expanded slightly along Colorado Boulevard, Dahlia Street, Glencoe Street, and Holly Street. At 4600 Elizabeth Street and 4700 Elizabeth Street the APE was expanded to include two vacant lots that will be incorporated into the Swansea Elementary School future property plan. The APE was also expanded at the southern end of the Market Lead Railroad/ Chicago, Burlington and Quincy Railroad Segment (5AM1298.2), at 3600 E 46<sup>th</sup> Avenue, 4650 Steele Street, 42245 E 46<sup>th</sup> Avenue, and 4801 E 46<sup>th</sup> Avenue. The APE was also expanded slightly along both Stapleton Drive North and Stapleton Drive South, a portion of Quebec Street north of I-70, the interchange area between Interstate 270 and I-70, some areas along Havana Street and Peoria Street, and a few minor locations north of I-70 and east of Havana Street with commercial properties that are not yet fifty years old. The final areas where the APE was minimally expanded are at the interchange with Interstate 225, North Chambers Road, near Airport Boulevard, and at Pagosa Street. Please reference the attached APE graphic for additional information.

**APE Modification 2:** The APE was widened both north and south of I-70E between Interstate 25 (I-25) and Washington Street to account for anticipated noise impacts under all alternatives. Two potentially eligible historic districts are located adjacent to I-70E in this location: Globeville Historic District to the north, and Garden Place Historic District to the south. The APE line was drawn to incorporate the location of noise receptors, which measured the extent and magnitude of current and projected noise impacts in the area. In keeping with the treatment of other historic districts currently within the APE, the entire historic district was not included in the APE. Please refer to the attached APE graphic for additional information.

### **Methodology**

**APE Modification 1:** All resources within the expanded APE that meet or exceed 45 years of age were surveyed and recorded on Architectural Inventory Forms (OAHP Form 1403). This resulted in the completion of eight new site forms. In addition, the historic resource boundary for a previously recorded segment of the Beltline Railroad (5AM2083.1) was expanded to include the associated switching yard and staging area.

**APE Modification 2:** The Globeville and Garden Place Historic Districts were evaluated in 1983, and are currently under re-evaluation by cultural resource staff for the subject project. Eligibility and effects consultation for these resources will be submitted separately, and these districts are not further addressed in this submission.

### **Eligibility Determinations**

**Union Pacific Beltline Railroad Segment (5AM2083.1):** The subject segment of the Union Pacific Beltline Railroad was previously determined *officially eligible*. This recordation served to expand the boundaries to include a switching station and maintenance yard associated with the railroad and located just north of I-70 and Quebec Street. This expanded area supports the integrity of the linear resource and the resource retains enough integrity to support significance under Criterion A for association with the business and commercial development of Denver and the broad history of Colorado and the expansion of transportation and commerce in the west. The expanded segment is considered *supporting* of the overall eligibility of resource 5AM2083, the Union Pacific Beltline Railroad.

**Mobil Oil Company (5DV11717):** The Mobile Oil Company, located at 4545 Holly Street, is a commercial building constructed in 1964. The resource is not significant under Criterion A as there is no evidence that it is associated with events that have made a significant contribution to the broad pattern of history. Historical research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The building was constructed as a typical commercial warehouse/office building, but exhibits limited characteristics of a specific architectural style or type. Finally, the resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. Although the building possesses some elements of the modern movements style in the use of narrow windows with horizontal lines and brickwork that emphasize the horizontal feeling of the building; these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and is not integrated into the overall design. Because the resource lacks significance, it is *not eligible* to the National Register of Historic Places (NRHP).

**Byrd Sales Company, Inc. Warehouse (5DV11719):** The Byrd Sales Company Warehouse, located at 6800 East Stapleton Drive South, was constructed in 1966 and features a brick clad entryway and office on the north portion of a larger warehouse and shop building. The resource is not significant under Criterion A as there is no evidence of association with events that have made a significant contribution to the broad pattern of history. The building was constructed as a typical commercial warehouse/office building. Historic research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or

represent the work of a master. Although the building possesses elements of the modern movements style in the use of narrow vertical windows and the decorative stonework, emphasizing a vertical sense of building, these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and overwhelms the delicate elements of the windows and brick details over the windows. Because the resource lacks significance, it is *not eligible* to the NRHP.

**Banker's Warehouse Company (SDV11720):** The Banker's Warehouse Company resource consists of two warehouse buildings and a separate office building, all located at 4303 Brighton Boulevard. The warehouse buildings now house the Forney Transportation Museum, while the office building houses another business. The Banker's Warehouse Company resource is significant under Criterion C. The main warehouse building has been heavily modified when it was transformed into the Forney Transportation Museum, and the secondary warehouse building- noted as Building 2 in the site form- is a-stylistic. The office building, however, is a good example of a modern movement office building as it contains an emphasis on horizontal massing and features ribbons of windows divided by thin steel frames. The building was modified in 1995 with the construction of a large addition along the rear of the building, and the alteration of fenestration openings on the east and west elevations. Although a large addition was constructed, it was built to the rear of the building and does not detract from the character defining features of the building, including the low, horizontal orientation or the ribbons of windows. In addition, the altered fenestration openings on the east and west elevations are not prominent and likewise, do not detract from the modern visual aesthetic of the building. Although the integrity of design of the office building was altered, it still retains sufficient integrity of materials, workmanship, feeling, association, and location to support its significance to the NRHP. The Banker's Warehouse Company is *eligible* to the NRHP.

**CDOT Havana Maintenance Yard (SDV11721):** Constructed in 1967 and located at 4375 Havana Street, this resource consists of a maintenance office/garage building and associated sand storage shed and ancillary features. The resource is not significant under Criterion A as there is no association between the property and events that have made a significant contribution to the broad pattern of history. It is not associated with the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction or represent the work of a master. The resource is a simple office and garage storage building that is not reflective of any particular architectural style or a type of construction. It is a simple utilitarian building clad in metal siding and topped with a metal roof. Based on aerial photography, the sand storage shed is not yet fifty years old. Because the resource lacks significance, the resource is *not eligible* the NRHP.

**Silver Fox Restaurant (SDV11722):** The Silver Fox Restaurant is a former restaurant property located at 4570 Glencoe Street. The resource was constructed in 1967 and is currently vacant. It is not significant under Criterion A because it has not contributed to the broad pattern of history. The building has not been part of a significant transportation or commercial development in the north Denver area. The resource is not eligible under Criterion B because no significant individuals are associated with the property. The resource is not significant under Criterion C because it is not a significant example of any architectural type. The mix of exterior materials, roofing styles, and window types make this resource an a-stylistic building lacking comprehensive commitment to a specific style. The resource is *not eligible* to the NRHP.

**Murray and Stafford Property (SDV11723):** The Murray and Stafford Property is an industrial commercial property and warehouse located at 6405 East Stapleton Drive Site. The resource was constructed in 1967. The resource is not associated with events that have made a significant contribution to the broad pattern of our history and therefore is not significant under Criterion A. It is currently utilized as a beverage plant for Safeway; however, it is located outside the Safeway Distribution Center Historic District. The resource was constructed later than the distribution center and was not historically related to the distribution



center. It is not significant under Criterion B as no association between the resource and persons significant in the past could be determined. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. The building is an a-stylistic warehouse building with very few character defining features that connect the building to a particular architectural style. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**John Deere Parts (5DV11724):** The John Deere Parts facility, located at 6101 East Stapleton Drive North, was constructed in 1967 and has served in the same capacity since its construction. Though it is a distribution warehouse for a large manufacturing company, there are numerous distribution warehouses for John Deere across the company and this particular warehouse does not hold any unique significance or importance in the growth or development of the company, which is headquartered in Illinois. In addition, it is not significant under Criterion B because there is no association between the resource and the lives of persons significant in the past. The building is also not significant under Criterion C as it does not embody the distinctive characteristics of a type, period or method of construction, or represent the work of a master. The building does not possess any distinctive characteristics of a particular architectural style and lacks any noteworthy features that warrant preservation. The building is a large warehouse with few stylistic elements, besides applied stacked stone utilized on a small portion of the southwest corner of the building where the office is located. The rest of the building lacks any embellishments or significant executions of methods of construction or characteristics of a type, or period of construction. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**KBP Coil Coaters (5DV11725):** KBP Coil Coaters is a large, rectangular plan warehouse/commercial building located at 3600 East 44<sup>th</sup> Avenue. The resource was constructed in 1967 and is capped with a distinctive plate roof form. Archival research found no indication that this resource is associated with events that have made a significant contribution to the broad pattern of history, nor is it associated with persons significant in the past; the resource is not significant under Criteria A or B. Although the building possess elements of the international or Modern Contemporary styles, including horizontal emphasis, asymmetry, and ribbons of glass windows, it has been heavily modified with alterations and two large additions, and it is missing several defining characteristics of both styles. Also, the building dates to 1969, which is not contemporaneous with the international style or its revival in the 1970s. The resource is not eligible under Criterion C. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

### **Effects Determinations**

#### **Union Pacific Beltline Railroad Segment (5AM2083.1):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effects to this resource under the No-Action Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
  - **No-Action Alternative, South Option:** The effects to this resource under the No-Action Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effects to this resource under the Revised Viaduct Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office

concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.

- **Revised Viaduct Alternative, South Option:** The effects to this resource under the Revised Viaduct Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.
- **Partial Cover Lowered Alternative:** Under this alternative, a new bridge would be constructed over the railroad, and a wall will be built within the historic resource boundary. In order to construct these features, approximately 14,250 square feet will be acquired from the historic resource boundary. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. Several features already cross the entire length of the railroad and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although integrity of setting may be impacted, the integrity of design and association would remain and the proposed work would not diminish the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no adverse effect*.

**Mobil Oil Co. (5DV11717):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial acquisition of right-of-way (ROW). The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Byrd Sales Co. Inc. Warehouse (5DV11719):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial ROW acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Banker's Warehouse Co. (5DV11720):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would not necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of *no adverse effect* to the resource.
  - **No-Action Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of the I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Partial Cover Lowered Alternative:** This resource is located 987 feet from the existing viaduct. I-70 west of Brighton Boulevard would remain in place and improvements associated with the Partial Cover Lowered structure would start east of Brighton Boulevard. There would, however, be an acquisition of approximately 1,515 square feet from the northwest corner of the resource in order to construct a retaining wall and box culvert. The area where the acquisition will occur is vacant, covered in overgrown grass, and sits on a lower topography than the buildings. The building closest to the acquisition location, Building 3, is situated high atop a bluff and the wall and box culvert would not be visible from the building. Because the improvements proposed under the Partial Cover Lowered Alternative would not impact the character defining features of the property or its ability to convey its significance under Criterion C for architecture, CDOT has determined that this alternative would result in a finding of *no adverse effect*.



**CDOT Havana Maintenance Yard (SDV11721):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
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- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to the full of acquisition of the property under the modified option. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Silver Fox Restaurant (SDV11722):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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Alternative, South Option would result in the determination of *no historic properties affected*.

- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of this property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Murray and Stafford Property (5DV11723):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of the property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**John Deere Parts (5DV11724):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the

resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.

- **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**KBP Coil Coaters (5DV11725):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to acquisition of a permanent easement. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

As a local organization with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Vanessa Henderson, CDOT NEPA Lead  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

Revised APE map  
Site Forms (5DV5AM2083.1, 5DV11717, 5DV11719, 5DV11720, 5DV11721, 5DV11722, 5DV11723, 5DV11724, 5DV11725)







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

May 4, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Section 106 APE Modification, Additional Eligibility and Effect Determinations,  
Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact  
Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE), determinations of eligibility and for ten (10) additional resources located within the modified APE, and determinations of effect for these resources in conjunction with the Interstate 70 East (I-70E) Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The footprint of the Partial Cover Lowered (PCL) alternative has been slightly altered, necessitating the alteration of the APE and review of newly added properties for National Register of Historic Preservation (NRHP) eligibility and Section 106 effects.

### **APE Modification**

Two modifications to the APE are proposed under this consultation; the first to accommodate design changes resulting in the expansion of the PCL footprint and addition of eight (8) previously unrecorded resources, and the second to incorporate two historic districts into the APE to account for noise impacts anticipated under all project alternatives.

*APE Modification 1:* The APE was expanded to accommodate minor design modifications at the following locations: the northern and southern ends of the APE around the Union Pacific Railroad, along the front and rear of 4650 Steele Street, and expanded slightly along Colorado Boulevard, Dahlia Street, Glencoe Street, and Holly Street. At 4600 Elizabeth Street and 4700 Elizabeth Street the APE was expanded to include two vacant lots that will be incorporated into the Swansea Elementary School future property plan. The APE was also expanded at the southern end of the Market Lead Railroad/ Chicago, Burlington and Quincy Railroad Segment (5AM1298.2), at 3600 E 46<sup>th</sup> Avenue, 4650 Steele Street, 42245 E 46<sup>th</sup> Avenue, and 4801 E 46<sup>th</sup> Avenue. The APE was also expanded slightly along both Stapleton Drive North and Stapleton Drive South, a portion of Quebec Street north of I-70, the interchange area between Interstate 270 and I-70, some areas along Havana Street and Peoria Street, and a few minor locations north of I-70 and east of Havana Street with commercial properties that are not yet fifty years old. The final areas where the APE was minimally expanded are at the interchange with Interstate 225, North Chambers Road, near Airport Boulevard, and at Pagosa Street. Please reference the attached APE graphic for additional information.

**APE Modification 2:** The APE was widened both north and south of I-70E between Interstate 25 (I-25) and Washington Street to account for anticipated noise impacts under all alternatives. Two potentially eligible historic districts are located adjacent to I-70E in this location: Globeville Historic District to the north, and Garden Place Historic District to the south. The APE line was drawn to incorporate the location of noise receptors, which measured the extent and magnitude of current and projected noise impacts in the area. In keeping with the treatment of other historic districts currently within the APE, the entire historic district was not included in the APE. Please refer to the attached APE graphic for additional information.

### **Methodology**

**APE Modification 1:** All resources within the expanded APE that meet or exceed 45 years of age were surveyed and recorded on Architectural Inventory Forms (OAHP Form 1403). This resulted in the completion of eight new site forms. In addition, the historic resource boundary for a previously recorded segment of the Beltline Railroad (5AM2083.1) was expanded to include the associated switching yard and staging area.

**APE Modification 2:** The Globeville and Garden Place Historic Districts were evaluated in 1983, and are currently under re-evaluation by cultural resource staff for the subject project. Eligibility and effects consultation for these resources will be submitted separately, and these districts are not further addressed in this submission.

### **Eligibility Determinations**

**Union Pacific Beltline Railroad Segment (5AM2083.1):** The subject segment of the Union Pacific Beltline Railroad was previously determined *officially eligible*. This recordation served to expand the boundaries to include a switching station and maintenance yard associated with the railroad and located just north of I-70 and Quebec Street. This expanded area supports the integrity of the linear resource and the resource retains enough integrity to support significance under Criterion A for association with the business and commercial development of Denver and the broad history of Colorado and the expansion of transportation and commerce in the west. The expanded segment is considered *supporting* of the overall eligibility of resource 5AM2083, the Union Pacific Beltline Railroad.

**Mobil Oil Company (5DV11717):** The Mobile Oil Company, located at 4545 Holly Street, is a commercial building constructed in 1964. The resource is not significant under Criterion A as there is no evidence that it is associated with events that have made a significant contribution to the broad pattern of history. Historical research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The building was constructed as a typical commercial warehouse/office building, but exhibits limited characteristics of a specific architectural style or type. Finally, the resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. Although the building possesses some elements of the modern movements style in the use of narrow windows with horizontal lines and brickwork that emphasize the horizontal feeling of the building; these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and is not integrated into the overall design. Because the resource lacks significance, it is *not eligible* to the National Register of Historic Places (NRHP).

**Byrd Sales Company, Inc. Warehouse (5DV11719):** The Byrd Sales Company Warehouse, located at 6800 East Stapleton Drive South, was constructed in 1966 and features a brick clad entryway and office on the north portion of a larger warehouse and shop building. The resource is not significant under Criterion A as there is no evidence of association with events that have made a significant contribution to the broad pattern of history. The building was constructed as a typical commercial warehouse/office building. Historic research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or

represent the work of a master. Although the building possesses elements of the modern movements style in the use of narrow vertical windows and the decorative stonework, emphasizing a vertical sense of building, these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and overwhelms the delicate elements of the windows and brick details over the windows. Because the resource lacks significance, it is *not eligible* to the NRHP.

**Banker's Warehouse Company (5DV11720):** The Banker's Warehouse Company resource consists of two warehouse buildings and a separate office building, all located at 4303 Brighton Boulevard. The warehouse buildings now house the Forney Transportation Museum, while the office building houses another business. The Banker's Warehouse Company resource is significant under Criterion C. The main warehouse building has been heavily modified when it was transformed into the Forney Transportation Museum, and the secondary warehouse building- noted as Building 2 in the site form- is a-stylistic. The office building, however, is a good example of a modern movement office building as it contains an emphasis on horizontal massing and features ribbons of windows divided by thin steel frames. The building was modified in 1995 with the construction of a large addition along the rear of the building, and the alteration of fenestration openings on the east and west elevations. Although a large addition was constructed, it was built to the rear of the building and does not detract from the character defining features of the building, including the low, horizontal orientation or the ribbons of windows. In addition, the altered fenestration openings on the east and west elevations are not prominent and likewise, do not detract from the modern visual aesthetic of the building. Although the integrity of design of the office building was altered, it still retains sufficient integrity of materials, workmanship, feeling, association, and location to support its significance to the NRHP. The Banker's Warehouse Company is *eligible* to the NRHP.

**CDOT Havana Maintenance Yard (5DV11721):** Constructed in 1967 and located at 4375 Havana Street, this resource consists of a maintenance office/garage building and associated sand storage shed and ancillary features. The resource is not significant under Criterion A as there is no association between the property and events that have made a significant contribution to the broad pattern of history. It is not associated with the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction or represent the work of a master. The resource is a simple office and garage storage building that is not reflective of any particular architectural style or a type of construction. It is a simple utilitarian building clad in metal siding and topped with a metal roof. Based on aerial photography, the sand storage shed is not yet fifty years old. Because the resource lacks significance, the resource is *not eligible* the NRHP.

**Silver Fox Restaurant (5DV11722):** The Silver Fox Restaurant is a former restaurant property located at 4570 Glencoe Street. The resource was constructed in 1967 and is currently vacant. It is not significant under Criterion A because it has not contributed to the broad pattern of history. The building has not been part of a significant transportation or commercial development in the north Denver area. The resource is not eligible under Criterion B because no significant individuals are associated with the property. The resource is not significant under Criterion C because it is not a significant example of any architectural type. The mix of exterior materials, roofing styles, and window types make this resource an a-stylistic building lacking comprehensive commitment to a specific style. The resource is *not eligible* to the NRHP.

**Murray and Stafford Property (5DV11723):** The Murray and Stafford Property is an industrial commercial property and warehouse located at 6405 East Stapleton Drive Site. The resource was constructed in 1967. The resource is not associated with events that have made a significant contribution to the broad pattern of our history and therefore is not significant under Criterion A. It is currently utilized as a beverage plant for Safeway; however, it is located outside the Safeway Distribution Center Historic District. The resource was constructed later than the distribution center and was not historically related to the distribution



center. It is not significant under Criterion B as no association between the resource and persons significant in the past could be determined. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. The building is an a-stylistic warehouse building with very few character defining features that connect the building to a particular architectural style. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**John Deere Parts (5DV11724):** The John Deere Parts facility, located at 6101 East Stapleton Drive North, was constructed in 1967 and has served in the same capacity since its construction. Though it is a distribution warehouse for a large manufacturing company, there are numerous distribution warehouses for John Deere across the company and this particular warehouse does not hold any unique significance or importance in the growth or development of the company, which is headquartered in Illinois. In addition, it is not significant under Criterion B because there is no association between the resource and the lives of persons significant in the past. The building is also not significant under Criterion C as it does not embody the distinctive characteristics of a type, period or method of construction, or represent the work of a master. The building does not possess any distinctive characteristics of a particular architectural style and lacks any noteworthy features that warrant preservation. The building is a large warehouse with few stylistic elements, besides applied stacked stone utilized on a small portion of the southwest corner of the building where the office is located. The rest of the building lacks any embellishments or significant executions of methods of construction or characteristics of a type, or period of construction. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**KBP Coil Coaters (5DV11725):** KBP Coil Coaters is a large, rectangular plan warehouse/commercial building located at 3600 East 44<sup>th</sup> Avenue. The resource was constructed in 1967 and is capped with a distinctive plate roof form. Archival research found no indication that this resource is associated with events that have made a significant contribution to the broad pattern of history, nor is it associated with persons significant in the past; the resource is not significant under Criteria A or B. Although the building possess elements of the international or Modern Contemporary styles, including horizontal emphasis, asymmetry, and ribbons of glass windows, it has been heavily modified with alterations and two large additions, and it is missing several defining characteristics of both styles. Also, the building dates to 1969, which is not contemporaneous with the international style or its revival in the 1970s. The resource is not eligible under Criterion C. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

### **Effects Determinations**

#### **Union Pacific Beltline Railroad Segment (5AM2083.1):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effects to this resource under the No-Action Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
  - **No-Action Alternative, South Option:** The effects to this resource under the No-Action Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effects to this resource under the Revised Viaduct Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office

concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.

- **Revised Viaduct Alternative, South Option:** The effects to this resource under the Revised Viaduct Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concluded with a finding of *no adverse effect* in correspondence dated September 23, 2014.
- **Partial Cover Lowered Alternative:** Under this alternative, a new bridge would be constructed over the railroad, and a wall will be built within the historic resource boundary. In order to construct these features, approximately 14,250 square feet will be acquired from the historic resource boundary. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. Several features already cross the entire length of the railroad and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although integrity of setting may be impacted, the integrity of design and association would remain and the proposed work would not diminish the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no adverse effect*.

**Mobil Oil Co. (5DV11717):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial acquisition of right-of-way (ROW). The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Byrd Sales Co. Inc. Warehouse (5DV11719):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
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  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial ROW acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Banker's Warehouse Co. (5DV11720):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would not necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of *no adverse effect* to the resource.
  - **No-Action Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of the I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, North Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Partial Cover Lowered Alternative:** This resource is located 987 feet from the existing viaduct. I-70 west of Brighton Boulevard would remain in place and improvements associated with the Partial Cover Lowered structure would start east of Brighton Boulevard. There would, however, be an acquisition of approximately 1,515 square feet from the northwest corner of the resource in order to construct a retaining wall and box culvert. The area where the acquisition will occur is vacant, covered in overgrown grass, and sits on a lower topography than the buildings. The building closest to the acquisition location, Building 3, is situated high atop a bluff and the wall and box culvert would not be visible from the building. Because the improvements proposed under the Partial Cover Lowered Alternative would not impact the character defining features of the property or its ability to convey its significance under Criterion C for architecture, CDOT has determined that this alternative would result in a finding of *no adverse effect*.



**CDOT Havana Maintenance Yard (SDV11721):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to the full of acquisition of the property under the modified option. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Silver Fox Restaurant (SDV11722):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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Alternative, South Option would result in the determination of *no historic properties affected*.

- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of this property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Murray and Stafford Property (5DV11723):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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**John Deere Parts (5DV11724):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the

resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.

- **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**KBP Coil Coaters (5DV11725):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to acquisition of a permanent easement. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

As a local organization with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



For Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Vanessa Henderson, CDOT NEPA Lead  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:

Revised APE map  
Site Forms (5DV5AM2083.1, 5DV11717, 5DV11719, 5DV11720, 5DV11721, 5DV11722, 5DV11723, 5DV11724, 5DV11725)







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

May 4, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** Section 106 APE Modification, Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East Corridor Supplemental Draft Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Olson:

This letter and attached materials constitute a request for comments on modifications to the Area of Potential Effects (APE), determinations of eligibility and for ten (10) additional resources located within the modified APE, and determinations of effect for these resources in conjunction with the Interstate 70 East (I-70E) Corridor Supplemental Draft Environmental Impact Statement (SDEIS). The footprint of the Partial Cover Lowered (PCL) alternative has been slightly altered, necessitating the alteration of the APE and review of newly added properties for National Register of Historic Preservation (NRHP) eligibility and Section 106 effects.

### **APE Modification**

Two modifications to the APE are proposed under this consultation; the first to accommodate design changes resulting in the expansion of the PCL footprint and addition of eight (8) previously unrecorded resources, and the second to incorporate two historic districts into the APE to account for noise impacts anticipated under all project alternatives.

*APE Modification 1:* The APE was expanded to accommodate minor design modifications at the following locations: the northern and southern ends of the APE around the Union Pacific Railroad, along the front and rear of 4650 Steele Street, and expanded slightly along Colorado Boulevard, Dahlia Street, Glencoe Street, and Holly Street. At 4600 Elizabeth Street and 4700 Elizabeth Street the APE was expanded to include two vacant lots that will be incorporated into the Swansea Elementary School future property plan. The APE was also expanded at the southern end of the Market Lead Railroad/ Chicago, Burlington and Quincy Railroad Segment (5AM1298.2), at 3600 E 46<sup>th</sup> Avenue, 4650 Steele Street, 42245 E 46<sup>th</sup> Avenue, and 4801 E 46<sup>th</sup> Avenue. The APE was also expanded slightly along both Stapleton Drive North and Stapleton Drive South, a portion of Quebec Street north of I-70, the interchange area between Interstate 270 and I-70, some areas along Havana Street and Peoria Street, and a few minor locations north of I-70 and east of Havana Street with commercial properties that are not yet fifty years old. The final areas where the APE was minimally expanded are at the interchange with Interstate 225, North Chambers Road, near Airport Boulevard, and at Pagosa Street. Please reference the attached APE graphic for additional information.

**APE Modification 2:** The APE was widened both north and south of I-70E between Interstate 25 (I-25) and Washington Street to account for anticipated noise impacts under all alternatives. Two potentially eligible historic districts are located adjacent to I-70E in this location: Globeville Historic District to the north, and Garden Place Historic District to the south. The APE line was drawn to incorporate the location of noise receptors, which measured the extent and magnitude of current and projected noise impacts in the area. In keeping with the treatment of other historic districts currently within the APE, the entire historic district was not included in the APE. Please refer to the attached APE graphic for additional information.

### **Methodology**

**APE Modification 1:** All resources within the expanded APE that meet or exceed 45 years of age were surveyed and recorded on Architectural Inventory Forms (OAHF Form 1403). This resulted in the completion of eight new site forms. In addition, the historic resource boundary for a previously recorded segment of the Beltline Railroad (5AM2083.1) was expanded to include the associated switching yard and staging area.

**APE Modification 2:** The Globeville and Garden Place Historic Districts were evaluated in 1983, and are currently under re-evaluation by cultural resource staff for the subject project. Eligibility and effects consultation for these resources will be submitted separately, and these districts are not further addressed in this submission.

### **Eligibility Determinations**

**Union Pacific Beltline Railroad Segment (5AM2083.1):** The subject segment of the Union Pacific Beltline Railroad was previously determined *officially eligible*. This recordation served to expand the boundaries to include a switching station and maintenance yard associated with the railroad and located just north of I-70 and Quebec Street. This expanded area supports the integrity of the linear resource and the resource retains enough integrity to support significance under Criterion A for association with the business and commercial development of Denver and the broad history of Colorado and the expansion of transportation and commerce in the west. The expanded segment is considered *supporting* of the overall eligibility of resource 5AM2083, the Union Pacific Beltline Railroad.

**Mobil Oil Company (5DV11717):** The Mobile Oil Company, located at 4545 Holly Street, is a commercial building constructed in 1964. The resource is not significant under Criterion A as there is no evidence that it is associated with events that have made a significant contribution to the broad pattern of history. Historical research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The building was constructed as a typical commercial warehouse/office building, but exhibits limited characteristics of a specific architectural style or type. Finally, the resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. Although the building possesses some elements of the modern movements style in the use of narrow windows with horizontal lines and brickwork that emphasize the horizontal feeling of the building; these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and is not integrated into the overall design. Because the resource lacks significance, it is *not eligible* to the National Register of Historic Places (NRHP).

**Byrd Sales Company, Inc. Warehouse (5DV11719):** The Byrd Sales Company Warehouse, located at 6800 East Stapleton Drive South, was constructed in 1966 and features a brick clad entryway and office on the north portion of a larger warehouse and shop building. The resource is not significant under Criterion A as there is no evidence of association with events that have made a significant contribution to the broad pattern of history. The building was constructed as a typical commercial warehouse/office building. Historic research did not reveal any association between the resource and the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is not significant under Criterion C as it does not embody the distinctive characteristics of a type, period, or method of construction, or

represent the work of a master. Although the building possesses elements of the modern movements style in the use of narrow vertical windows and the decorative stonework, emphasizing a vertical sense of building, these elements are not distinctive enough to embody a style or type and make this resource significant for architecture. The warehouse portion of the building dominates the entire structure and overwhelms the delicate elements of the windows and brick details over the windows. Because the resource lacks significance, it is *not eligible* to the NRHP.

**Banker's Warehouse Company (5DV11720):** The Banker's Warehouse Company resource consists of two warehouse buildings and a separate office building, all located at 4303 Brighton Boulevard. The warehouse buildings now house the Forney Transportation Museum, while the office building houses another business. The Banker's Warehouse Company resource is significant under Criterion C. The main warehouse building has been heavily modified when it was transformed into the Forney Transportation Museum, and the secondary warehouse building- noted as Building 2 in the site form- is a-stylistic. The office building, however, is a good example of a modern movement office building as it contains an emphasis on horizontal massing and features ribbons of windows divided by thin steel frames. The building was modified in 1995 with the construction of a large addition along the rear of the building, and the alteration of fenestration openings on the east and west elevations. Although a large addition was constructed, it was built to the rear of the building and does not detract from the character defining features of the building, including the low, horizontal orientation or the ribbons of windows. In addition, the altered fenestration openings on the east and west elevations are not prominent and likewise, do not detract from the modern visual aesthetic of the building. Although the integrity of design of the office building was altered, it still retains sufficient integrity of materials, workmanship, feeling, association, and location to support its significance to the NRHP. The Banker's Warehouse Company is *eligible* to the NRHP.

**CDOT Havana Maintenance Yard (5DV11721):** Constructed in 1967 and located at 4375 Havana Street, this resource consists of a maintenance office/garage building and associated sand storage shed and ancillary features. The resource is not significant under Criterion A as there is no association between the property and events that have made a significant contribution to the broad pattern of history. It is not associated with the lives of persons significant in our past and therefore the resource is not significant under Criterion B. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction or represent the work of a master. The resource is a simple office and garage storage building that is not reflective of any particular architectural style or a type of construction. It is a simple utilitarian building clad in metal siding and topped with a metal roof. Based on aerial photography, the sand storage shed is not yet fifty years old. Because the resource lacks significance, the resource is *not eligible* the NRHP.

**Silver Fox Restaurant (5DV11722):** The Silver Fox Restaurant is a former restaurant property located at 4570 Glencoe Street. The resource was constructed in 1967 and is currently vacant. It is not significant under Criterion A because it has not contributed to the broad pattern of history. The building has not been part of a significant transportation or commercial development in the north Denver area. The resource is not eligible under Criterion B because no significant individuals are associated with the property. The resource is not significant under Criterion C because it is not a significant example of any architectural type. The mix of exterior materials, roofing styles, and window types make this resource an a-stylistic building lacking comprehensive commitment to a specific style. The resource is *not eligible* to the NRHP.

**Murray and Stafford Property (5DV11723):** The Murray and Stafford Property is an industrial commercial property and warehouse located at 6405 East Stapleton Drive Site. The resource was constructed in 1967. The resource is not associated with events that have made a significant contribution to the broad pattern of our history and therefore is not significant under Criterion A. It is currently utilized as a beverage plant for Safeway; however, it is located outside the Safeway Distribution Center Historic District. The resource was constructed later than the distribution center and was not historically related to the distribution



center. It is not significant under Criterion B as no association between the resource and persons significant in the past could be determined. The resource is also not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. The building is an a-stylistic warehouse building with very few character defining features that connect the building to a particular architectural style. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**John Deere Parts (5DV11724):** The John Deere Parts facility, located at 6101 East Stapleton Drive North, was constructed in 1967 and has served in the same capacity since its construction. Though it is a distribution warehouse for a large manufacturing company, there are numerous distribution warehouses for John Deere across the company and this particular warehouse does not hold any unique significance or importance in the growth or development of the company, which is headquartered in Illinois. In addition, it is not significant under Criterion B because there is no association between the resource and the lives of persons significant in the past. The building is also not significant under Criterion C as it does not embody the distinctive characteristics of a type, period or method of construction, or represent the work of a master. The building does not possess any distinctive characteristics of a particular architectural style and lacks any noteworthy features that warrant preservation. The building is a large warehouse with few stylistic elements, besides applied stacked stone utilized on a small portion of the southwest corner of the building where the office is located. The rest of the building lacks any embellishments or significant executions of methods of construction or characteristics of a type, or period of construction. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

**KBP Coil Coaters (5DV11725):** KBP Coil Coaters is a large, rectangular plan warehouse/commercial building located at 3600 East 44<sup>th</sup> Avenue. The resource was constructed in 1967 and is capped with a distinctive plate roof form. Archival research found no indication that this resource is associated with events that have made a significant contribution to the broad pattern of history, nor is it associated with persons significant in the past; the resource is not significant under Criteria A or B. Although the building possess elements of the international or Modern Contemporary styles, including horizontal emphasis, asymmetry, and ribbons of glass windows, it has been heavily modified with alterations and two large additions, and it is missing several defining characteristics of both styles. Also, the building dates to 1969, which is not contemporaneous with the international style or its revival in the 1970s. The resource is not eligible under Criterion C. Because the resource lacks significance, the resource is *not eligible* to the NRHP.

### Effects Determinations

#### **Union Pacific Beltline Railroad Segment (5AM2083.1):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effects to this resource under the No-Action Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
  - **No-Action Alternative, South Option:** The effects to this resource under the No-Action Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no historic properties affected* in correspondence dated September 23, 2014.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effects to this resource under the Revised Viaduct Alternative, North Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office

concurred with a finding of *no adverse effect* in correspondence dated September 23, 2014.

- **Revised Viaduct Alternative, South Option:** The effects to this resource under the Revised Viaduct Alternative, South Option are the same as those described in the *I-70 East Environmental Impact Statement Section 106 Determination of Effects*. Your office concurred with a finding of *no adverse effect* in correspondence dated September 23, 2014.
- **Partial Cover Lowered Alternative:** Under this alternative, a new bridge would be constructed over the railroad, and a wall will be built within the historic resource boundary. In order to construct these features, approximately 14,250 square feet will be acquired from the historic resource boundary. The construction of a bridge over the railroad would change the setting of the railroad segment. However, it would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. Several features already cross the entire length of the railroad and the setting surrounding the railroad has changed over the years with the alteration of surrounding land use for various industries and residential development. Although integrity of setting may be impacted, the integrity of design and association would remain and the proposed work would not diminish the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no adverse effect*.

**Mobil Oil Co. (5DV11717):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
  - **No-Action Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no historic properties affected*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
  - **Revised Viaduct Alternative, South Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the Revised Viaduct Alternative, North Option would result in the determination of *no historic properties affected*.
- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial acquisition of right-of-way (ROW). The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Byrd Sales Co. Inc. Warehouse (5DV11719):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to partial ROW acquisition. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Banker's Warehouse Co. (5DV11720):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would not necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.  
  
There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, North Option would result in a determination of *no adverse effect* to the resource.
  - **No-Action Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of the I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the No-Action Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

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- **Revised Viaduct Alternative, South Option:** This resource is located southwest of Brighton Boulevard and south of I-70, 987 feet from the existing viaduct. The viaduct would not be replaced west of Brighton Boulevard. No temporary or permanent construction easements or ROW acquisitions would be necessary from this resource. Potential indirect effects include visual changes to the setting and increases in noise.

There may be potential changes in noise levels, however, this building is separated from I-70 by two large commercial buildings. Though the potential increase in noise and changes to I-70 represent an alteration in the setting of the resource, their construction would not diminish the ability of the resource to convey its architectural significance, since these setting elements would not change or diminish the features of the resource that qualify it for inclusion on the NRHP. CDOT concluded that the Revised Viaduct Alternative, South Option would result in a determination of *no adverse effect* to the resource.

- **Partial Cover Lowered Alternative:** This resource is located 987 feet from the existing viaduct. I-70 west of Brighton Boulevard would remain in place and improvements associated with the Partial Cover Lowered structure would start east of Brighton Boulevard. There would, however, be an acquisition of approximately 1,515 square feet from the northwest corner of the resource in order to construct a retaining wall and box culvert. The area where the acquisition will occur is vacant, covered in overgrown grass, and sits on a lower topography than the buildings. The building closest to the acquisition location, Building 3, is situated high atop a bluff and the wall and box culvert would not be visible from the building. Because the improvements proposed under the Partial Cover Lowered Alternative would not impact the character defining features of the property or its ability to convey its significance under Criterion C for architecture, CDOT has determined that this alternative would result in a finding of *no adverse effect*.



**CDOT Havana Maintenance Yard (5DV11721):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to the full of acquisition of the property under the modified option. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Silver Fox Restaurant (5DV11722):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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Alternative, South Option would result in the determination of *no historic properties affected*.

- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to a partial acquisition of this property. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

**Murray and Stafford Property (SDV11723):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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**John Deere Parts (SDV11724):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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**KBP Coil Coaters (5DV11725):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct or indirect effects anticipated to this resource. Because there will be no direct or indirect effects, and the resource was determined not eligible, CDOT has determined that the No-Action Alternative, North Option would result in the determination of *no historic properties affected*.
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- **Partial Cover Lowered Alternative:** Under this alternative, the resource would be subject to acquisition of a permanent easement. The resource is not eligible to the NRHP, and as a result, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of *no historic properties affected*.

Mr. Olson  
May 4, 2015  
Page 11

As a local organization with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



*For* Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Vanessa Henderson, CDOT NEPA Lead  
Carrie Wallis, I 70 East SDEIS Project Manager (Atkins)

Attachments:  
Revised APE map  
Site Forms (5DV5AM2083.1, 5DV11717, 5DV11719, 5DV11720, 5DV11721, 5DV11722, 5DV11723, 5DV11724, 5DV11725)





Attachment I- Appendix AC  
Correspondence from SHPO to CDOT  
June 2, 2105





June 2, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Section 106 APE Modification, Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-Evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your additional information correspondence dated May 4, 2015 and received by our office on May 8, 2015. After review of the provided information, we do not object to the proposed revised Area of Potential Effects (APE) for the project.

We concur that resource 5DV.11720 is eligible for the National Register of Historic Places and that segment 5AM.2083.1 retains integrity and supports the overall eligibility of the entire linear resource 5AM.2083. We concur that resources 5DV.11717, 5DV.11725, 5DV.11719, 5DV.11721, 5DV.11722, 5DV.11723, and 5DV.11724 are not eligible for the National Register of Historic Places.

After review of the scope of work, we concur with the recommended findings of effects under each alternative described in your report letter for resources:

- 5DV.2083, including segment 5DV.2083.1
- 5DV.11717
- 5DV.11719
- 5DV.11720
- 5DV.11721
- 5DV.11722
- 5DV.11723
- 5DV.11724
- 5DV.11725

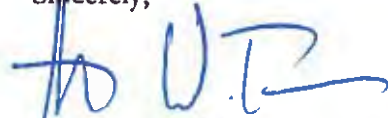
If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CRF 60.4, in consultation with this office.



We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Nichols", written over a horizontal line.

Edward C. Nichols  
State Historic Preservation Officer

A handwritten mark in blue ink, possibly a stylized "E" or a checkmark, located to the left of the typed name.

Attachment I- Appendix AD  
Correspondence from Consulting Parties to  
CDOT Regarding May 4, 2015 Submittal





**Community Planning and Development**  
Denver Landmark Preservation

201 West Colfax, Dept. 205  
Denver, CO 80202  
p: (720)-865-2709  
f: (720)-865-3050

[www.denvergov.org/preservation](http://www.denvergov.org/preservation)

E-Mail: [landmark@denvergov.org](mailto:landmark@denvergov.org)

May 29, 2015

Ashley L. Bushey  
State of Colorado; Department of Transportation  
Region 1, Planning and Environmental  
2000 South Holly Street  
Denver, CO 80222

Subject: Section 106 APE Modification, Additional Eligibility and Effect Determinations,  
Interstate 70 (I-70) East Supplemental Draft Environmental Impact Statement Re-evaluation, Denver  
County and Adams County (CHS #41831)

Thank you for the opportunity to provide comments for the proposal.

We are providing comments based on our role as Certified Local Government (CLG)  
representative for Denver County, Colorado for compliance with Section 106 (36 CFR 800) of  
the National Historic Preservation Act and the National Environmental Policy Act (NEPA).

Our office concurs with the APE modification additional determinations of eligibility and effect  
for the I-70 East Supplemental Draft Environmental Impact Statement as outlined in your May 4,  
2015 report.

Again, thank you for providing the information. If you need further information, please do not  
hesitate to contact our office.

Sincerely,

George Gause  
Denver Landmark Preservation staff  
City & County of Denver Colorado





Attachment I- Appendix AE  
Documentation for Finding of Adverse Effect  
Submittal to ACHP  
June 15, 2015



# **DOCUMENTATION FOR FINDING OF ADVERSE EFFECT**

**COLORADO DEPARTMENT OF TRANSPORTATION PROJECT AQC R600-165,  
Interstate 70 (I-70) East  
I-70 East From I-25 to Tower Road  
Denver and Adams Counties, Colorado**

**COLORADO DEPARTMENT OF TRANSPORTATION  
REGION 1, PLANNING AND ENVIRONMENTAL  
2000 SOUTH HOLLY STREET  
DENVER, COLORADO 80222**

**May 2015**



## **DOCUMENTATION FOR FINDING OF ADVERSE EFFECT**

CDOT Project AQC R600-165,  
Interstate 70 (I-70) East  
Denver and Adams Counties, Colorado

This documentation is prepared in accordance with the Advisory Council regulations, Section 800.11(e), which stipulates the inclusion of the following items:

- 1. A description of the undertaking, specifying the Federal involvement and its area of potential effects, including photographs, maps, and drawings, as necessary.**

### **Project Background**

The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The project proposes to construct improvements along I-70 in the Denver metropolitan area between I-25 and Tower Road. The project area covers neighborhoods within Denver, Commerce City, and Aurora including but not limited to Globeville, Elyria and Swansea, Northeast Park Hill, Stapleton, Montbello and Aurora. Improvements to this corridor are necessary to improve safety, access, and mobility and address congestion on I-70 in the project area, which is one of the most heavily traveled and congested highway corridors in not only the region, but the state as well. The Final Environmental Impact Statement (FEIS) evaluates a No Action and two Build Alternatives with minor variations: Revised Viaduct Alternative, and Partial Cover Lowered Alternative. All of the alternatives are still under consideration, although the Partial Cover Lowered has been identified as the Preferred Alternative. Please see pp. 1 of the March 2015 *I-70 East Environmental Impact Statement Section 106 Determination of Effects, Denver and Adams Counties, Colorado* on the enclosed DVD for more detailed information about the alternatives.

### **Area of Potential Effects (APE)**

The APE, which includes areas of Denver, Commerce City, Aurora, and Adams County, encompasses 1,184 acres along the 11.86-mile segment of I-70 from I-25 to Tower Road. The APE includes geographic areas potentially subject to direct or indirect effects, including areas susceptible to visual and auditory impacts. The width of the APE varies, including all potential alternatives under consideration as well as areas that could be impacted by activities such as interchange reconstruction, frontage road relocation, or storm drainage improvements. The boundary is bordered on the west by Interstate 25. The southern boundary encompasses the Denver Coliseum and Globeville Landing Park and generally follows East 45<sup>th</sup> Avenue east through the established neighborhood of Elyria and Swansea. The northern portion of the APE is bounded on the north by East 47<sup>th</sup> Avenue, but includes the Riverside Cemetery and the 4700 block of St. Paul Court. East of Vasquez Boulevard, the APE is bounded on the north by East 48<sup>th</sup> Avenue and on the south by Smith Road or Stapleton Drive, just south of I-70. The far eastern boundary of the survey is located at I-70 and Tower Road. Refinements to the design required multiple consultations between 2012 and 2015 with SHPO and the consulting parties, which include the Denver Landmarks Preservation Commission, Colorado Preservation, Inc., Historic Denver, Inc., the Fairmount Heritage Foundation, and the Fairmount Cemetery Company. See the APE map in **Attachment A** for more information.

- 2. A description of the steps taken to identify historic properties.**

Extensive efforts were made to identify historic properties along I-70 in the Denver metropolitan area between I-25 and Tower Road. Between 2006 and 2015, a series of field surveys were conducted within the APE during which all standing structures built in 1965 or earlier were evaluated. A total of 129 eligible or contributing resources (60 individually eligible resources, and four eligible districts) were identified. Within the four eligible historic districts are 75 contributing properties. The identification efforts have been

documented in several reports, including the 2007 *I-70 East Cultural Resources Survey Report* and the 2013 Eligibility correspondence. Additional properties were also identified in correspondence from October 2013 and December 2013. Finally, a modification to the Partial Cover Lowered Alternative necessitated the survey of eight additional resources, and the historic resource boundary expansion of one resource. Appropriate Colorado Office of Archaeology and Historic Preservation site forms were completed for all of the properties. Copies of the 2007 *I-70 East Cultural Resources Survey Report* and the 2013, 2014, and 2015 eligibility correspondences are included on the enclosed DVD.

**3. A description of the affected historic properties, including information on the characteristics that qualify them for the National Register.**

The National Register-eligible properties listed in Tables 1-6 will be adversely affected by the various alternatives. Descriptions of these properties are included in the March 2015 report entitled, *I-70 East Environmental Impact Statement, Section 106 Determinations of Effects*, which is on the DVD included with this submittal. The tables include a column showing the corresponding page number in the Determination of Effect report. Unless otherwise noted, the page numbers correspond to the March 2015 Determination of Effect report, which includes information about why the properties are NRHP eligible.

The No-Action Alternative, North Option, results in an adverse effect to seven (7) properties, including individually eligible properties and historic districts. The No-Action Alternative, South Option results in an adverse effect to six (6) individually eligible resource and no historic districts. The Revised Viaduct Alternative, North Option results in an adverse effect to eight (8) properties, including individually eligible properties and historic districts. The Revised Viaduct Alternative, South Option results in adverse effects to seven (7) individually eligible resources and one (1) historic district. Finally, the Partial Cover Lowered Alternative results in an adverse effect to thirteen (13) resources, including individually eligible properties and historic districts.

**Table 1: NRHP Eligible Resources Adversely Affected by the No-Action Alternative, North Option**

Site Number	Property Name and Address	Section; Page No., Effects Report
5DV9735	Rudy/ Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617-4625 Race Street	6.1.3; 43
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
<b>Total Resources: 7</b>		

**Table 2: NRHP Eligible Resources Adversely  
Affected by the No-Action Alternative, South Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9245	Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue	6.2.3; 67
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV9679	4541 Clayton LLC Residence 4541 Clayton Street	6.3.3; 106
<b>Total Resources: 6</b>		

**Table 3: NRHP Eligible Resources Adversely  
Affected by the Revised Viaduct Alternative, North Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV9735	Rudy/ Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 8</b>		

**Table 4: NRHP Eligible Resources Adversely  
Affected by the Revised Viaduct Alternative, South Option**

Site Number	Property Name and Address	Section; Page No., Effects Report
5DV9735	Rudy/ Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV9245	Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue	6.2.3; 67
5DV9745	Kenworthy/ Wyckoff Residence 4529 Josephine Street	6.2.3; 78
5DV9678	Rodriquez Residence 4539 Clayton Street	6.3.3; 104
5DV9679	4541 Clayton LLC Residence 4541 Clayton Street	6.3.3; 106
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 8</b>		

**Table 5: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative Basic  
Option**

Site Number	Property Name and Address	Section; Page No., Effects Report
5DV11283	York Street/E. 40 <sup>th</sup> Ave. Brick Sanitary Sewer	6.1.3; 32
5DV9735	Rudy/Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV6248.4	Union Pacific Railroad Segment	6.2.3; 61
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9667	Brown and Alarid Residence 4637 Claude Court	6.2.3; 70
5DV9668	Toth/Kelly Residence 4639 Claude Court	6.2.3; 71

**Table 5: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative Basic  
Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
5AM1298.2	Market Street Railroad/ Chicago Burlington & Quincy Railroad Segment	6.4.3; 137
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 13</b>		

**Table 6: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative  
Modified Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV11283	York Street/E. 40 <sup>th</sup> Ave. Brick Sanitary Sewer	6.1.3; 32
5DV9735	Rudy/Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV6248.4	Union Pacific Railroad Segment	6.2.3; 61
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9667	Brown and Alarid Residence 4637 Claude Court	6.2.3; 70
5DV9668	Toth/Kelly Residence 4639 Claude Court	6.2.3; 71
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121



**Table 6: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative  
Modified Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5AM1298.2	Market Street RR/ Chicago Burlington & Quincy Railroad Segment	6.4.3; 137
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 13</b>		

#### **4. A description of the undertaking's effects on historic properties.**

Effects determinations associated with the properties appearing in Tables 1-6 are described in the March 2015 *Section 106 Determination of Effects* report referenced above. This report is included on the enclosed DVD. Refer to the table for the location of these determinations in this report.

#### **5. An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize, or mitigate adverse effects.**

In accordance with Section 800.5 of the Advisory Council regulations, CDOT has applied the criteria of adverse effect and determined that each of the studied alternatives result in adverse effects to the properties discussed in Items 3 and 4 above. The following information was extracted from the 2014 I-70 East Supplemental Draft Environmental Impact Statement and reflects the ongoing effort to resolve adverse effects in consultation with the SHPO and consulting parties.

##### **Avoidance and Minimization**

A concerted effort was made to minimize effects to historic properties throughout the development of the various alternatives considered for this project. During the 2008 Draft Environmental Impact Statement (DEIS), the CDOT Project Team evaluated alternative strategies that bypassed the current I-70 alignment and relocated the Interstate to the north. While these strategies would have avoided many of the historic properties in the Elyria and Swansea neighborhoods and near the existing I-70 alignment, they were determined unreasonable based on additional data and community input and as a result were eliminated from further consideration.

Since the 2008 DEIS, the No Action Alternatives, North and South Options, were refined in an effort to avoid and minimize impacts to adjacent properties including historic resources. The construction limits were reduced from 50 feet to 20 feet. Because of this reduction, the alternative no longer fully acquired 2 businesses located in historic properties. In addition, impacts to the Alfred Wessel Historic District were minimized. Under the 2008 DEIS, 0.79 acres of the Historic District was to be acquired, whereas only 0.3 acres will be acquired because of the refinements to the footprint of the No-Action Alternatives.

Public comment following the publication of the 2008 DEIS also resulted in the refinement of the Revised Viaduct Alternatives. Rather than placing the highway on raised fill, as was proposed in the 2008 DEIS, the current plans place the highway on a viaduct structure with 46<sup>th</sup> Avenue below the viaduct. This, in turn, minimized impacts as 46<sup>th</sup> Avenue was previously designed adjacent to the highway. Because of this minimization effort, there will be less use of the Alfred Wessel historic district, and the Swansea Elementary School will not be impacted as much as was previously designed. Though Swansea Elementary School is not an historic resource, it is a valued community asset nonetheless.

The Partial Cover Lowered Alternative was not analyzed in 2008, but rather was developed as a result of comments from the community and corridor stakeholders following the 2008 Draft EIS. Efforts to minimize impacts to historic resources under the Partial Cover Lowered Alternative included the use of a 4-percent grade on I-70, the minimization of the 46<sup>th</sup> Avenue typical section, and the interchange ramps were located parallel to the I-70 mainline with walls. In addition, 46<sup>th</sup> Avenue was reduced to one lane westbound from Brighton to York Street. These efforts reduced the use of the Elyria and Swansea neighborhoods, the Alfred R. Wessel Historic District, and Swansea Elementary School. The modified option of the Partial Cover Lowered Alternative removed I-70 auxiliary lanes as well as ramps that allowed the I-70 alignment to be shifted 24 feet south at Steele Street/ Vasquez Boulevard. This results in impacts to four fewer contributing resources to the Alfred R. Wessel Historic District than the basic option.

**Mitigation**

In consultation with the SHPO and the consulting parties, FHWA and CDOT determined that each of the alternatives under consideration for this project results in adverse effects to historic properties. Under the Section 106 process, adverse effects to historic properties must be resolved and mitigated through consultation. Given the scale of this project and the potentially extended time frame for construction phases, a Programmatic Agreement (PA) will be developed containing mitigation stipulations. Meetings between CDOT, FHWA, SHPO, and consulting parties have resulted in a list of potential mitigation measures to resolve adverse effects pursuant to 36 CFR 800.6(b)(1)(i), which will be used in development of the programmatic agreement. Potential mitigation measures include interpretive signage, nominations to the state or national registers, and historic preservation workshops. With additional mitigation stipulations pending completion of the PA, one mitigation commitment has been made and is in development:

- Havey Productions will produce a 28-minute documentary movie on the history of the area in TV-ready format. The films will focus on the communities of Elyria, Swansea, and Globeville, including neighborhood character, and the impact of the interstate/ viaduct, and will include coverage of the Section 106 process.

CDOT has held and will continue to hold meetings with the SHPO and consulting parties to continue discussions about a mitigation plan for the corridor. The final mitigation plan and commitments will be outlined in the Programmatic Agreement for the project.

**6. Copies or summaries of any views provided by consulting parties and the public.**

Section 106 consultation for this project has been ongoing since 2005. Included in **Attachment B** is the correspondence associated with the APE development, determinations of NRHP eligibility, and effects determinations for this project. Due to the volume of this correspondence, it has been scanned and included on the enclosed compact disk under the file "Attachment B" for your convenience.



***ATTACHMENT A***  
***AREA OF POTENTIAL EFFECTS***



4.2

6

125







***ATTACHMENT B***

***VIEWS OF SHPO AND CONSULTING PARTIES***  
***(See enclosed compact disk for this correspondence)***





Attachment I- AF  
Documentation for Finding of Adverse Effect  
– ACHP Letter





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Colorado Division**

June 15, 2015

12300 W. Dakota Ave., Ste. 180  
Lakewood, Colorado 80228  
720-963-3000

Mr. Reid Nelson, Director  
Advisory Council on Historic Preservation  
**Attn:** Christopher Wilson  
401 F Street NW, Suite 308  
Washington, DC 20001

**SUBJECT:** Documentation of Adverse Effect, Colorado Department of Transportation Project AQC  
R600-165: Interstate 70 East (I-70) Corridor Environmental Impact Statement (EIS),  
Denver and Adams Counties, Colorado

Dear Mr. Nelson:

Enclosed is the Documentation for Finding of Adverse Effect for the Colorado Department of Transportation (CDOT) project referenced above. The Federal Highway Administration (FHWA) and Colorado State Historic Preservation Officer (SHPO) have agreed that the proposed undertaking will have an Adverse Effect on several properties eligible to the National Register of Historic Places under each of the alternatives studied for this proposed undertaking, including a No Build and two Build alternatives, each with two options reflecting minor modifications.

FHWA is submitting this Documentation for Finding of Adverse Effect pursuant to the Advisory Council regulations, 36 CFR 800.6(a)(1). In accordance with the process set forth in the regulations, mitigation measures are currently under discussion with the Colorado SHPO and participating consulting parties.

CDOT is preparing a draft Programmatic Agreement for the project. FHWA will submit the draft Programmatic Agreement for ACHP review and comment should the agency request to be involved in the consultation.

Please send a copy of all of your correspondence to CDOT Region 1 Senior Historian Ashley L. Bushey at 2000 South Holly, Denver, CO 80222. If you have questions or comments, or require additional information, please contact Ms. Bushey at (303)757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) or Stephanie Gibson of this office at (720) 963-3013 or [stephanie.gibson@dot.gov](mailto:stephanie.gibson@dot.gov).

Sincerely,

  
John M. Cater, P.E.  
Division Administrator

By: Stephanie Gibson  
Environmental Program Manager

Enclosure: Documentation of Adverse Effect

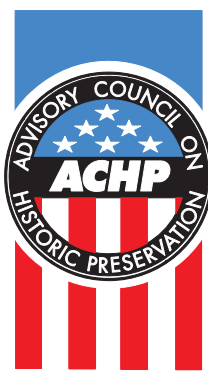
cc: Jane Hann, CDOT Environmental Programs Branch Manager  
Ashley Bushey, CDOT Region 1 Senior Historian  
Chris Horn, FHWA Area Engineer



Attachment I- AG  
Correspondence from ACHP to FHWA  
July 6, 2105







Preserving America's Heritage

July 06, 2015

Mr. John M. Cater, P.E.  
Division Administrator  
Federal Highway Administration  
Colorado Division  
12300 W. Dakota Avenue, Suite 180  
Lakewood, CO 80228

Ref: *Proposed I-70 East Corridor Improvements Project*  
*Denver and Adams Counties, Colorado*

Dear Mr. Cater:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Programmatic Agreement (PA), developed in consultation with the Colorado State Historic Preservation Office's (SHPO's) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the PA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Christopher Wilson at 202 517-0229 or via e-mail at [cwilson@achp.gov](mailto:cwilson@achp.gov).

Sincerely,

LaShavio Johnson  
Historic Preservation Technician  
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)



Attachment I- AH  
Correspondence from CDOT to SHPO and  
Consulting Parties  
June 4, 2015







## **COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

June 4, 2015

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Nichols:

This letter and attached materials constitute a request for concurrence on determinations of eligibility and effects for two additional resources located within the modified APE for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS).

### **Methodology**

Two historic districts, Globeville and Garden Place, were identified at the western end of the I-70 East project area, located north and south of I-70 between I-25 and Washington Street. Both districts were initially evaluated in 1983, resulting in official determinations of eligibility for both districts. These districts were not initially included in the Area of Potential Effect (APE) for the subject project, as project activities along I-70 between I-25 and Washington Street were confined to re-striping. Work currently proposed in this area is not confined to re-striping the existing configuration, but rather re-striping to add capacity through an additional travel lane in each direction. Additional capacity can result in increases in noise; recognized as an indirect effect on historic resources. The project APE was expanded to include potentially affected areas of the Globeville and Garden Place Historic Districts. This APE modification was submitted to your office by a letter dated May 4, 2015. No response on the proposed modification has been received from your office date.

Due to the age of initial 1983 survey documents, both the Globeville and Garden Place Historic Districts were re-surveyed on OAHF Form 1403: Architectural Inventory Forms. A reconnaissance "windshield" survey of the historic districts was completed and selected photographs were taken. Properties were not individually documented to determine contributing status in the district, as no direct effects to the district or individual properties are indicated by project activities in this area.

### **Eligibility Determinations**

**Garden Place Historic District (5DV1690):** The Garden Place Historic District was initially surveyed in 1983, resulting in an official determination of eligibility. The 1983 survey states the "... neighborhood has great significance in the history of Denver and Colorado as one of the largest ethnic neighborhoods in the state. It has an important relationship with the Globe Smelter and the mining history of Colorado. The architectural resources in the neighborhood are significant for their vernacular style from the 1880s through the 1920s, for their method of construction and materials, their association with the ethnic worker and for the unusual types and the number of these resources."

The windshield survey completed for this project indicates that there have been some additional demolitions and new construction since the 1983 recordation; however, the district remains largely intact. Several houses have been altered through small additions, alterations to fenestration and materials. Although many of these alterations would preclude the resource from individual eligibility, the district retains sufficient cohesiveness to convey significance and support eligibility. Despite the construction of Interstate 70 and Interstate 25 through the neighborhood in the 1950s-1960s and later changes to individual properties, the Garden Place Historic District retains sufficient integrity of location, setting, design, materials, workmanship, association, and feeling to support the eligibility of the district and convey significance under Criterion A and C as an ethnic, working class neighborhood, related to the surrounding industry, and its collection of vernacular homes from 1880s through the 1920s.

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#### **Effects Determinations**

**Garden Place Historic District (5DV1690):** The Garden Place Historic District is located south of I-70 between I-25 and Washington Street. Work proposed on I-70 in this area consists of re-striping the existing pavement to add lane capacity in each travel direction. The work proposed in this area is the same under each of the project alternatives.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** There are no direct effects anticipated to this resource. Indirect effects are possible as a result of potential increases in noise due to lane restriping through this area to add capacity. Noise modeling for the area indicates an increase in highway-generated noise in this area by 2035 with no changes to the lane configuration of 0.8 dBA (A-weighted decibel scale). The added capacity proposed by the project is projected to result in a noise increase of 1.9 dBA, representing 1.1 dBA over the future projected noise increases without constructing the project or increasing capacity in the vicinity of the Garden Place Historic District. An increase of 1.1 dBA, however, is considered very minor. Research and industry standards for noise evaluation have established that an increase of 3 dBA is considered barely perceptible to the human ear and levels below that are often considered imperceptible. The anticipated increase in the Garden Place Historic District is less than the point where the noise increase becomes perceptible to the human ear.

Loud setting features surround the Garden Place Historic District both currently, and historically. Today, Interstate 25 is located immediately to the west of the Garden Place Historic District, Interstate 70 to the north, Washington Street to the east, and railroad switching yards to the South. Historically, the neighborhood was similarly noisy, however the noise emanated from the industry surrounding it, including the Argo Smelter to the west, the Globeville Smelter to the north, the Grant Smelter to the east, and various packing plants and other industrial enterprises. Finally, the railroad-switching yard was historically functioning south of the historic district. The current and future noise levels do not distract from the character-defining features of the historic district or its ability to convey its significance as an example of worker housing with ethnic associations. Because of its historical associations with noise, the imperceptible increase in noise proposed under this project, and the continued ability of the district to still convey its significance, CDOT has determined that the No-Action Alternative, North Option would result in *no adverse effect* to the Garden Place Historic District.

- **No-Action Alternative, South Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no adverse effect*.
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  - **No-Action Alternative, North Option:** There are no direct effects anticipated to this resource. There will possibly be, however, indirect effects as a result of potential increases in noise because of lane restriping through this area that will add capacity. Noise modeling for the area indicates an increase in highway-generated noise in this 1.8 area by 2035 with no changes to the lane configuration of dBA (A-weighted decibel scale). The added capacity proposed by the project is projected to result in a noise increase of 2.4 dBA, representing 0.6 dBA over the future projected noise



increases without constructing the project or increasing capacity in the vicinity of the Globeville Historic District. An increase of 0.6 dBA, however, is considered very minor. Research and industry standards for noise evaluation have established that an increase of 3 dBA is considered barely perceptible to the human ear and levels below that are often considered imperceptible. The anticipated increase in the Globeville Historic District is 2.4 dBA, less than the point where the noise increase becomes perceptible to the human ear.

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This information has been sent concurrently to the City and County of Denver Landmark Preservation Commission, Colorado Preservation, Inc., Historic Denver, Inc., and Fairmount Heritage Foundation, and the Fairmount Cemetery Company. Any response from them will be forwarded to you. We request your concurrence on the Determinations of Eligibility and Effects outlined above. If you require additional

Mr. Nichols  
June 4, 2015  
Page 5

information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



 Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Carrie Wallis, I 70 East EIS Project Manager (Atkins)

Attachments:  
Site Forms (5DVI690, 5DVI691)  
1983 Initial Survey  
2015 OAHP 1403 Form







## **COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

June 4, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

**SUBJECT:** Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Gause:

This letter and attached materials constitute a request for concurrence on determinations of eligibility and effects for two additional resources located within the modified APE for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS).

### **Methodology**

Two historic districts, Globeville and Garden Place, were identified at the western end of the I-70 East project area, located north and south of I-70 between I-25 and Washington Street. Both districts were initially evaluated in 1983, resulting in official determinations of eligibility for both districts. These districts were not initially included in the Area of Potential Effect (APE) for the subject project, as project activities along I-70 between I-25 and Washington Street were confined to re-striping. Work currently proposed in this area is not confined to re-striping the existing configuration, but rather re-striping to add capacity through an additional travel lane in each direction. Additional capacity can result in increases in noise; recognized as an indirect effect on historic resources. The project APE was expanded to include potentially affected areas of the Globeville and Garden Place Historic Districts. This APE modification was submitted to the State Historic Preservation Office (SHPO) and your office by a letter dated May 4, 2015.

Due to the age of initial 1983 survey documents, both the Globeville and Garden Place Historic Districts were re-surveyed on OAHF Form 1403: Architectural Inventory Forms. A reconnaissance "windshield" survey of the historic districts was completed and selected photographs were taken. Properties were not individually documented to determine contributing status in the district, as no direct effects to the district or individual properties are indicated by project activities in this area.

### **Eligibility Determinations**

**Garden Place Historic District (SDV1690):** The Garden Place Historic District was initially surveyed in 1983, resulting in an official determination of eligibility. The 1983 survey states the "... neighborhood has great significance in the history of Denver and Colorado as one of the largest ethnic neighborhoods in the state. It has an important relationship with the Globe Smelter and the mining history of Colorado. The architectural resources in the neighborhood are significant for their vernacular style from the 1880s through the 1920s, for their method of construction and materials, their association with the ethnic worker and for the unusual types and the number of these resources."

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As a local government with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).



Mr. Gause  
June 4, 2015  
Page 5

Sincerely,



For Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Carrie Wallis, I 70 East EIS Project Manager (Atkins)

Attachments:  
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## **COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

June 4, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

**SUBJECT:** Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Ms. Eflin:

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- **Partial Cover Lowered Alternative:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Partial Cover Lowered Alternative would result in the determination of *no adverse effect*.

As a local organization with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Ms. Elin  
June 4, 2015  
Page 5

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Carrie Wallis, I 70 East EIS Project Manager (Atkins)

Attachments:  
Site Forms (5DV1690, 5DV1691)  
1983 Initial Survey  
2015 OAHP 1403 Form





## **COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

June 4, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter and attached materials constitute a request for concurrence on determinations of eligibility and effects for two additional resources located within the modified APE for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS).

### **Methodology**

Two historic districts, Globeville and Garden Place, were identified at the western end of the I-70 East project area, located north and south of I-70 between I-25 and Washington Street. Both districts were initially evaluated in 1983, resulting in official determinations of eligibility for both districts. These districts were not initially included in the Area of Potential Effect (APE) for the subject project, as project activities along I-70 between I-25 and Washington Street were confined to re-striping. Work currently proposed in this area is not confined to re-striping the existing configuration, but rather re-striping to add capacity through an additional travel lane in each direction. Additional capacity can result in increases in noise; recognized as an indirect effect on historic resources. The project APE was expanded to include potentially affected areas of the Globeville and Garden Place Historic Districts. This APE modification was submitted to the State Historic Preservation Office (SHPO) and your office by a letter dated May 4, 2015.

Due to the age of initial 1983 survey documents, both the Globeville and Garden Place Historic Districts were re-surveyed on OAHF Form 1403: Architectural Inventory Forms. A reconnaissance "windshield" survey of the historic districts was completed and selected photographs were taken. Properties were not individually documented to determine contributing status in the district, as no direct effects to the district or individual properties are indicated by project activities in this area.

### **Eligibility Determinations**

**Garden Place Historic District (5DV1690):** The Garden Place Historic District was initially surveyed in 1983, resulting in an official determination of eligibility. The 1983 survey states the "... neighborhood has great significance in the history of Denver and Colorado as one of the largest ethnic neighborhoods in the state. It has an important relationship with the Globe Smelter and the mining history of Colorado. The architectural resources in the neighborhood are significant for their vernacular style from the 1880s through the 1920s, for their method of construction and materials, their association with the ethnic worker and for the unusual types and the number of these resources."

The windshield survey completed for this project indicates that there have been some additional demolitions and new construction since the 1983 recordation; however, the district remains largely intact.



Several houses have been altered through small additions, alterations to fenestration and materials. Although many of these alterations would preclude the resource from individual eligibility, the district retains sufficient cohesiveness to convey significance and support eligibility. Despite the construction of Interstate 70 and Interstate 25 through the neighborhood in the 1950s-1960s and later changes to individual properties, the Garden Place Historic District retains sufficient integrity of location, setting, design, materials, workmanship, association, and feeling to support the eligibility of the district and convey significance under Criterion A and C as an ethnic, working class neighborhood, related to the surrounding industry, and its collection of vernacular homes from 1880s through the 1920s.

**Globeville Historic District (5DV1691):** The Globeville Historic District was initially surveyed in 1983, resulting in an official determination of eligibility. The 1983 survey states "...the Globeville neighborhood has great significance in the history of Denver and Colorado as one of the largest ethnic neighborhoods in the state. It has an important relationship with the Globe Smelter and the mining history of Colorado. The architectural resources in the neighborhood are significant for their vernacular style from the 1880s through the 1920s, for their method of construction and materials, their association with the ethnic worker and for the unusual types and the number of these resources."

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#### **Effects Determinations**

**Garden Place Historic District (5DV1690):** The Garden Place Historic District is located south of I-70 between I-25 and Washington Street. Work proposed on I-70 in this area consists of re-striping the existing pavement to add lane capacity in each travel direction. The work proposed in this area is the same under each of the project alternatives.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** There are no direct effects anticipated to this resource. Indirect effects are possible as a result of potential increases in noise due to lane restriping through this area to add capacity. Noise modeling for the area indicates an increase in highway-generated noise in this area by 2035 with no changes to the lane configuration of 0.8 dBA (A-weighted decibel scale). The added capacity proposed by the project is projected to result in a noise increase of 1.9 dBA, representing 1.1 dBA over the future projected noise increases without constructing the project or increasing capacity in the vicinity of the Garden Place Historic District. An increase of 1.1 dBA, however, is considered very minor. Research and industry standards for noise evaluation have established that an increase of 3 dBA is considered barely perceptible to the human ear and levels below that are often considered imperceptible. The anticipated increase in the Garden Place Historic District is less than the point where the noise increase becomes perceptible to the human ear.



Loud setting features surround the Garden Place Historic District both currently, and historically. Today, Interstate 25 is located immediately to the west of the Garden Place Historic District, Interstate 70 to the north, Washington Street to the east, and railroad switching yards to the South. Historically, the neighborhood was similarly noisy, however the noise emanated from the industry surrounding it, including the Argo Smelter to the west, the Globeville Smelter to the north, the Grant Smelter to the east, and various packing plants and other industrial enterprises. Finally, the railroad-switching yard was historically functioning south of the historic district. The current and future noise levels do not distract from the character-defining features of the historic district or its ability to convey its significance as an example of worker housing with ethnic associations. Because of its historical associations with noise, the imperceptible increase in noise proposed under this project, and the continued ability of the district to still convey its significance, CDOT has determined that the No-Action Alternative, North Option would result in *no adverse effect* to the Garden Place Historic District.

- **No-Action Alternative, South Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no adverse effect*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Revised Alternative, North Option would result in the determination of *no adverse effect*.
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Globeville Historic District. An increase of 0.6 dBA, however, is considered very minor. Research and industry standards for noise evaluation have established that an increase of 3 dBA is considered barely perceptible to the human ear and levels below that are often considered imperceptible. The anticipated increase in the Globeville Historic District is 2.4 dBA, less than the point where the noise increase becomes perceptible to the human ear.

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Ms. Carmody  
June 4, 2015  
Page 5

Sincerely,



*f,,* Charles Attardo  
Region 1 Planning and Environmental Manager

**CC:**

Vanessa Henderson, CDOT Environmental Programs Branch  
Carrie Wallis, I 70 East EIS Project Manager (Atkins)

**Attachments:**

Site Forms (SDV1690, SDV1691)  
1983 Initial Survey  
2015 OAHP 1403 Form





## **COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

June 4, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Olson:

This letter and attached materials constitute a request for concurrence on determinations of eligibility and effects for two additional resources located within the modified APE for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS).

### **Methodology**

Two historic districts, Globeville and Garden Place, were identified at the western end of the I-70 East project area, located north and south of I-70 between I-25 and Washington Street. Both districts were initially evaluated in 1983, resulting in official determinations of eligibility for both districts. These districts were not initially included in the Area of Potential Effect (APE) for the subject project, as project activities along I-70 between I-25 and Washington Street were confined to re-striping. Work currently proposed in this area is not confined to re-striping the existing configuration, but rather re-striping to add capacity through an additional travel lane in each direction. Additional capacity can result in increases in noise; recognized as an indirect effect on historic resources. The project APE was expanded to include potentially affected areas of the Globeville and Garden Place Historic Districts. This APE modification was submitted to the State Historic Preservation Office (SHPO) and your office by a letter dated May 4, 2015.

Due to the age of initial 1983 survey documents, both the Globeville and Garden Place Historic Districts were re-surveyed on OAHF Form 1403: Architectural Inventory Forms. A reconnaissance "windshield" survey of the historic districts was completed and selected photographs were taken. Properties were not individually documented to determine contributing status in the district, as no direct effects to the district or individual properties are indicated by project activities in this area.

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The windshield survey completed for this project indicates that there have been some additional demolitions and new construction since the 1983 recordation; however, the district remains largely intact.



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#### **Effects Determinations**

**Garden Place Historic District (5DV1690):** The Garden Place Historic District is located south of I-70 between I-25 and Washington Street. Work proposed on I-70 in this area consists of re-stripping the existing pavement to add lane capacity in each travel direction. The work proposed in this area is the same under each of the project alternatives.

- **No-Action Alternative**

- **No-Action Alternative, North Option:** There are no direct effects anticipated to this resource. Indirect effects are possible as a result of potential increases in noise due to lane restriping through this area to add capacity. Noise modeling for the area indicates an increase in highway-generated noise in this area by 2035 with no changes to the lane configuration of 0.8 dBA (A-weighted decibel scale). The added capacity proposed by the project is projected to result in a noise increase of 1.9 dBA, representing 1.1 dBA over the future projected noise increases without constructing the project or increasing capacity in the vicinity of the Garden Place Historic District. An increase of 1.1 dBA, however, is considered very minor. Research and industry standards for noise evaluation have established that an increase of 3 dBA is considered barely perceptible to the human ear and levels below that are often considered imperceptible. The anticipated increase in the Garden Place Historic District is less than the point where the noise increase becomes perceptible to the human ear.

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Mr. Olson  
June 4, 2015  
Page 5

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Attardo", with a stylized flourish at the end.

Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Vanessa Henderson, CDOT Environmental Programs Branch  
Carrie Wallis, I 70 East EIS Project Manager (Atkins)

Attachments:

Site Forms (5DV1690, 5DV1691)  
1983 Initial Survey  
2015 OAHP 1403 Form









## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

June 4, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Briggs:

This letter and attached materials constitute a request for concurrence on determinations of eligibility and effects for two additional resources located within the modified APE for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS).

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Loud setting features surround the Garden Place Historic District both currently, and historically. Today, Interstate 25 is located immediately to the west of the Garden

Place Historic District, Interstate 70 to the north, Washington Street to the east, and railroad switching yards to the South. Historically, the neighborhood was similarly noisy, however the noise emanated from the industry surrounding it, including the Argo Smelter to the west, the Globeville Smelter to the north, the Grant Smelter to the east, and various packing plants and other industrial enterprises. Finally, the railroad-switching yard was historically functioning south of the historic district. The current and future noise levels do not distract from the character-defining features of the historic district or its ability to convey its significance as an example of worker housing with ethnic associations. Because of its historical associations with noise, the imperceptible increase in noise proposed under this project, and the continued ability of the district to still convey its significance, CDOT has determined that the No-Action Alternative, North Option would result in *no adverse effect* to the Garden Place Historic District.

- **No-Action Alternative, South Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no adverse effect*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Revised Alternative, North Option would result in the determination of *no adverse effect*.
  - **Revised Viaduct Alternative, South Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no adverse effect*.
- **Partial Cover Lowered Alternative:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Partial Cover Lowered Alternative would result in the determination of *no adverse effect*.

**Globeville Historic District (5DV1691):** The Globeville Historic District is located north of I-70 between I-25 and Washington Street. Work proposed on I-70 in this area consists of re-striping the existing pavement to add lane capacity in each travel direction. The work proposed in this area is the same under each of the project alternatives.

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** There are no direct effects anticipated to this resource. There will possibly be, however, indirect effects as a result of potential increases in noise because of lane restriping through this area that will add capacity. Noise modeling for the area indicates an increase in highway-generated noise in this 1.8 area by 2035 with no changes to the lane configuration of dBA (A-weighted decibel scale). The added capacity proposed by the project is projected to result in a noise increase of 2.4 dBA, representing 0.6 dBA over the future projected noise increases without constructing the project or increasing capacity in the vicinity of the Globeville Historic District. An increase of 0.6 dBA, however, is considered very minor. Research and industry standards for noise evaluation have established that an

increase of 3 dBA is considered barely perceptible to the human ear and levels below that are often considered imperceptible. The anticipated increase in the Globeville Historic District is 2.4 dBA, less than the point where the noise increase becomes perceptible to the human ear.

Loud features surround the Globeville Historic District both currently, and historically. Today, Interstate 25 is located immediately to the west of the Globeville Historic District, Interstate 70 to the south, and Washington Street to the east. Historically, the neighborhood was similarly noisy, however the noise emanated from the industry surrounding it, including the Argo Smelter to the west, the Globeville Smelter to the north, the Grant Smelter to the east, and various packing plants and other industrial enterprises. The current and future noise levels do not distract from the character-defining features of the historic district or its ability to convey its significance as an example of worker housing with ethnic associations. Because of its historical associations with noise, the imperceptible increase in noise proposed under this project, and the continued ability of the district to still convey its significance, CDOT has determined that the No-Action Alternative, North Option would result in *no adverse effect* to the Globeville Historic District.

- **No-Action Alternative, South Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the No-Action Alternative, South Option would result in the determination of *no adverse effect*.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Revised Alternative, North Option would result in the determination of *no adverse effect*.
  - **Revised Viaduct Alternative, South Option:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Revised Viaduct Alternative, South Option would result in the determination of *no adverse effect*.
- **Partial Cover Lowered Alternative:** Under this alternative, the Garden Place Historic District will experience similar effects to those under the No-Action Alternative, North Option. Because of this, CDOT has determined that the Partial Cover Lowered Alternative would result in the determination of *no adverse effect*.

As a local organization with a potential interest in this undertaking, we welcome your comments on the APE revisions, determinations of eligibility and effect outlined in this submission. Should your office elect to respond, we request that comments be submitted within thirty (30) days of submission of these materials, as stipulated in the Section 106 regulations. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region I Historian Ashley L. Bushey at (303) 757-9397 or ashley.bushey@state.co.us.

Mr. Briggs  
June 4, 2015  
Page 5

Sincerely,



For Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Vanessa Henderson, CDOT Environmental Programs Branch  
Carrie Wallis, I 70 East EIS Project Manager (Atkins)

Attachments:  
Site Forms (5DV1690, 5DV1691)  
1983 Initial Survey  
2015 OAHP 1403 Form





Attachment I- Appendix AI  
Correspondence from SHPO to CDOT  
June 15, 2105





June 15, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated June 4, 2015 and received on June 8, 2015 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the proposed Area of Potential Effects (APE) for the proposed project. After review of the provided survey information, we concur that resource 5DV.1690/Garden Place Historic District is eligible for the National Register of Historic Places as a Historic District. Additionally, we concur that resource 5DV.1691/Globeville Historic District is eligible for the National Register of Historic Places as a Historic District.

After review of the scope of work and assessment of adverse effect, we concur with the finding of *no adverse effect* [36 CFR 800.5(d)(1)] under Section 106 for the following resources: 5DV.1690 and 5DV.1691.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Jennifer Bryant, our Section 106 Compliance Manager, at (303) 866-2673 or [jennifer.bryant@state.co.us](mailto:jennifer.bryant@state.co.us).

Sincerely,

Edward C. Nichols  
State Historic Preservation Officer





Attachment I- Appendix AJ  
Correspondence from Consulting Parties to  
CDOT Regarding June 4, 2015 Submittal



STATE OF  
COLORADO

Bushey - CDOT, Ashley &lt;ashley.bushey@state.co.us&gt;

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Additional Eligibility and Effect Determinations (CHS #41831)

1 message

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Gause, George - Community Planning and Development  
<George.Gause@denvergov.org>  
To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>Mon, Jun 15, 2015 at 10:35  
AM

Ashley,

Denver Landmark Preservation has reviewed the Additional Eligibility and Effect Determinations, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County(CHS #41831). We concur with the findings

We have no further comments. Let me know if you have any questions. Thanks

George Gause | Senior City Planner-Landmark Preservation  
Community Planning & Development | Planning Services



City and County of Denver  
[720.865.2929](tel:720.865.2929) | [george.gause@denvergov.org](mailto:george.gause@denvergov.org)  
[DenverGov.org/CPD](http://DenverGov.org/CPD) | @DenverCPD | Take our Survey  
The Landmark Preservation Commission (LPC) filing deadline increases to four (4) weeks prior to each meeting in 2015.

Comments and correspondence concerning proposals or applications are based on information received by the requestor and a comparison of that information and the Secretary of the Interior's Standards, Design Guidelines for Landmark Structures and Districts, Landmark Preservation Ordinance; Chapter 30 Revised Municipal Code and other applicable adopted guidelines. Staff is providing these comments for informal informational purposes only. These comments do not replace the formal design review process. More specific answers to a proposal can only be given after full review of the required documentation is accomplished. Landmark staff is not responsible for building or zoning review. Please submit plans to those agencies for comment.

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Attachment I- Appendix AK  
Correspondence from CDOT to SHPO and  
Consulting Parties  
September 2, 2015







## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 2, 2015

Mr. Edward C. Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** APE Update, Updated Effect Determinations and *De Minimis* Notification,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Nichols:

This letter and attached materials constitute a request for comments on the expanded Area of Potential Effect (APE) and concurrence on modified determinations of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS) and an acknowledgement of the Section 4(f) *de minimis* notifications.

As plans for the project have progressed, more specific details regarding easement needs, measurements, and the distance of improvements from resources have been developed as the linework and project plans have been refined. Most effects determinations remain the same, and in those instances this correspondence offers updates to the specific impact measurements based on the most up to date information. There are four (4) resources, however, that will now experience reduced impacts resulting in a determination of *no adverse effect* based on the refined plans under the No Action Alternative, South Alternative whereas the March 2015 *Section 106 Effects Report* communicated an adverse effect.

The March 2015 *Section 106 Effects Report* lists effects to each resource for a Partial Cover Lowered Alternative with two options: Basic and Modified. The project team has since blended those two options into what is being referred to as the Partial Cover Lowered Alternative, Combined Option. This alternative will henceforth be referred to as the Partial Cover Lowered Alternative and the effects determinations in the March 2015 *Section 106 Effects Report* have not changed from those that were communicated with regard to the Partial Cover Lowered Alternative.

### APE Updates

1. One property was mistakenly omitted from the previous APE graphics. It was consulted upon along with the rest of the properties within the APE, however the graphic depiction inadvertently omitted the property. This modification simply serves to update the APE graphic to reflect the inclusion of the United States Rubber Co., 4800 Colorado Boulevard (5DV9989) property. The omitted property was surveyed and eligibility was concurred with in a letter from your office dated May 28, 2013. In addition, the effects to this resource were consulted on and concurred with in a letter from your office dated April 27, 2015.
2. The APE is being expanded north of I-70 between Brighton Boulevard and Colorado Boulevard to East 47<sup>th</sup> Avenue, with the exception of the Swansea School property, to account for planned

mitigation activities for Environmental Justice. The APE already meets East 47<sup>th</sup> Avenue in most areas between Brighton and Colorado Boulevards, however two areas of the APE were expanded north to meet East 47<sup>th</sup> Avenue; between High and Vine Streets and between Fillmore and Milwaukee Streets. Please refer to the enclosed APE graphic for additional information.

#### **Eligibility & Effects: Properties added to the APE**

Residential properties in the area between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. The APE was expanded to cover this area and includes approximately ninety (90) eligible historic properties. Fourteen (14) of these are new properties within the expanded APE, which have not been individually evaluated to determine eligibility and will be *treated as eligible for the purpose of the project and Section 106 compliance*, and therefore Smithsonian numbers were not assigned. These properties are reflected in the table below.

Residents with air conditioning may have the option of closing their windows to mitigate the effects of both noise and dust, however many residents rely on the ventilation provided by open windows to cool their homes. As a mitigation measure under Environmental Justice, CDOT will provide residential properties in this area with two free portable or window-mounted air conditioning units with air filtration and assistance with potential additional utility costs during construction. Portable air-conditioning units, located inside a house and not mechanically connected to any architectural elements, will not affect the character or integrity of historic properties. Window-mounted units are non-permanent, reversible appliances that meet Standard 10 of the Secretary of the Interior's Standards for Rehabilitation. The project will result in a determination of *no adverse effect* to each of the approximately ninety (90) historic resources affected, including the fourteen (14) newly identified properties reflected in the table below.

#### **New Properties within the APE**

<b>Property Address</b>	<b>Date of Construction</b>	<b>Determination of Eligibility</b>	<b>Determination of Effect</b>
4700 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4690 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4680 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4675 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4685 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4695 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
1912/1917 E. 47 <sup>th</sup> Avenue	1886	<i>Treat as eligible</i>	No Adverse Effect
4690 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4678 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4681 Race Street	1886	<i>Treat as eligible</i>	No Adverse Effect
2000 E. 47 <sup>th</sup> Avenue	1903	<i>Treat as eligible</i>	No Adverse Effect
4684 Race Street	1902	<i>Treat as eligible</i>	No Adverse Effect
4691 Vine Street	1922	<i>Treat as eligible</i>	No Adverse Effect
4688 Vine Street	1907	<i>Treat as eligible</i>	No Adverse Effect

### **Updated FEIS Effects Determinations**

#### **Burlington Ditch/ O'Brien Canal (5AM465.9):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a 24-inch plastic pipe within a steel casing would be placed over a portion of the Burlington Ditch/ O'Brien Canal measuring approximately 50 feet, where it would drop down and outlet into the Platte River via a manhole/ vault located within the South Platte River. Should the stormwater pump system fail, the detention pond would fill until the emergency overflow level, at which point storm flows would then flow out of the pond through a 72-inch pipe and outlet into the Burlington Ditch. In order to construct these elements, a 52-foot permanent easement will be placed over the centerline of the pipe and acquired from the ditch company. These alterations would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option, therefore, CDOT concludes the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concludes the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the

addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.

**Market Street Railroad/ Chicago, Burlington & Quincy Railroad (5AM1298):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a temporary easement measuring 295 feet on the railroad grade associated with the Revised Viaduct Alternative, North Option. This option would reconstruct the railroad tracks in place and would add railroad-crossing panels, which would create a temporary effect to the railroad. The undertaking would involve replacement of the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require replacing the bridge that now crosses the railroad between Steele Street/ Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, replacement of railroad track along the existing alignment, and the additional temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be replaced along the historic alignment and within the historic right-of-way (ROW). The tracks, rail ties, and track bedding have already been regularly updated and are not original. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.  
The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of setting may be impacted by the removal and replacement of the existing viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the entire linear resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, however, a temporary construction easement measuring 335 feet would be required from the railroad. Because the alternative would result in similar effects and would not effect the integrity of design and association, which are crucial to convey the railroad's significance under Criterion A, CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect**



- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.

**Union Pacific Railroad (5DV6248):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** For the No-Action Alternative, North Option, the existing Union Pacific Railroad Bridge (E-17-Z) over East 46<sup>th</sup> Avenue would remain in place. Reconstruction of the viaduct above the Union Pacific Railroad Bridge would require a construction easement of approximately 210 feet. The proposed work, however, would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the No-Action Alternative, North Option would have **No Adverse Effect** on the Union Pacific Railroad.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would also result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would require a similar construction easement as the No-Action Alternative, North and South Options. The construction easement under the Revised Viaduct Alternatives, however, would measure 300 feet. In addition to the viaduct construction, a 4-foot by 10-foot storm drain would be bored beneath the tracks at Claude Court, which will have no track bed impacts. The bore locations will be outside historic ROW. The acquisition of the temporary construction easement, and the storm drain bore beneath the tracks would not diminish any integrity of materials or workmanship, as those aspects have already been impacted in the area through routine and continued maintenance. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain, and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would have **No Adverse Effect** for this resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option and would also require a 300-foot temporary easement from the railroad. The effects are similar to those described under the Revised Viaduct Alternative, North Option and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT concluded that the Raised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect.**

**Univar (5DV9231):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Historic Properties Affected.**

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** There would be a permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Revised Viaduct Alternative, North Option. The acquisition would impact a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Revised Viaduct Alternative, North Option would result in indirect effects in the form of noise, visual, and historic setting changes to this resource. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and the added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the revised viaduct or other visual changes, including the closer proximity of the viaduct to the resource and acquisition of a small amount of the property from the corners of the property that have already been paved, would not affect the features that qualify the resource for inclusion in the National Register of Historic Places (NRHP). Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, including the permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the property. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** There would be permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Partial Cover Lower Alternative. The acquisition would result in a permanent impact to a portion of the parking lot along the northeastern and northwestern edges of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Partial Cover Lowered Alternative would result in indirect effects in the form of noise, visual, and historic setting changes to this resource as a result of the lowered highway. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the lowered highway or other visual changes, and the acquisition of a small portion from the corners of the property would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for the resource.

**Safeway Historic District (5DV9232):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect.**
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect.**
- **Partial Cover Lowered Alternative:** There would be a partial ROW acquisition of 2.1 acres associated with the Partial Cover Lowered Alternative. The land impacted by this ROW acquisition consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district that was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District.

There would also be visual and historic setting changes in the area as a result of this alternative. These constitute indirect effects to the district, but do not diminish character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. The removal of the Transport Control Facility, a non-contributing feature within the district, would not adversely impact the historic district. Therefore, CDOT has determined that the Partial Covered Lowered Alternative would result in a finding of **No Adverse Effect** to the Safeway Distribution Center Historic District.

**Sanchez Business (5DV9655):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect.**
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions

as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.

**Stop-N-Shop (5DV9801):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.

**National Western Historic District (5DV10050):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Historic Properties Affected**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Historic Properties Affected**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.



- **Partial Cover Lowered Alternative:** Under this alternative, I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity. The lowering of I-70 would begin east of Brighton Boulevard, approximately 360 feet east of the eastern edge of the historic district. The interstate reconstruction work would **not** impact the National Western Historic District directly because it would take place 360 feet from the historic district.

A stormwater outfall pipe would be installed south of I-70, which would be built south of the Denver Coliseum (5DV9162 [5DV9282]) underneath the parking lot between the Denver Coliseum and the South Platte River. This would require an easement of approximately 2.8 acres that would be located within the Denver Coliseum parking lot. The outfall system would result in the placement of a new stormwater pipe underneath the pavement, which is not original and has been re-paved as needed throughout the years. This would not change or modify the current appearance of the historic district or its contributing features.

The Partial Cover Lowered Alternative would result in a small increase in traffic noise over time within the district due to capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study. Although the stormwater drain and restriping of I-70 within the historic district boundaries constitute an effect, they would not alter the character-defining features or the ability of the district to convey significance to the NRHP under Criteria A or C. The district would still retain its association with the commercial, economic, and social historic of Colorado and the diverse building styles and types would remain unaltered. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for this resource.

#### **Colonial Motel (5DV7130):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 5.5 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall under this alternative.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order

to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.

**Portales Residence (5DV9746):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements, or ROW acquisitions, as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary, and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any

easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.

**Wessel District (SDV10126):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as those communicated in the March 2015 Section 106 Effects Report and concurred with by your office on April 27, 2015- *adverse effect*. However, more information regarding the amount of ROW that will be acquired from the two contributing properties are now known. The proposed Revised Viaduct Alternative, South Option would require the acquisition of 0.2 acres of the historic district into the I-70 corridor, with 0.03 acres coming from the Warren residence (SDV9726), 0.002 acres from the Griffie residence (SDV9727), and the remaining from non-contributing properties. While this option permanently incorporates a small portion of contributing properties into the transportation facility, it will not demolish any contributing buildings. Nevertheless, because the acquisitions from the two contributing resources may impact fences and vegetation, CDOT has determined that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.
- **Partial Cover Lowered Alternative:** Under the Partial Cover Lowered Alternative, the alignment of the westbound 46<sup>th</sup> Avenue lanes will pass through the southwestern boundary of the historic district. This alternative will result in the acquisition of 2.02 acres from the historic district and demolition of nine (9) contributing properties. Because the demolition of these contributing resources would diminish the integrity of design, materials, and workmanship, and the ability of the district to convey significance under Criteria A and C, the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the historic district.

### **Notification of Section 4(f) *De Minimis* Determination**

The finding of *no adverse effect* outlined for the above resources, as well as those concurred on by your office via correspondence dated September 23, 2014, April 27, 2015, May 7, 2015, June 2, 2015, and June 15, 2015 under Section 106 reflects a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for those historic resources. A table depicting the Section 4(f) resources and their use determinations is included below, with resources subject to a *de minimis* use highlighted in green and a full use under Section 4(f) highlighted in yellow, which will result in individual Section 4(f) evaluations.

### **Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Riverside Cemetery 5201 Brighton Boulevard (5AM125)	No Use	No Use	No Use	No Use	No Use
York Street/East 40th Avenue Brick Sanitary Sewer (5DV11283)	No Use	No Use	No Use	No Use	Use
Delgany Common Interceptor Sewer (5DV4725.5)	No Use	No Use	No Use	No Use	No Use
Burlington Ditch/ O'Brien Canal (5AM465.9)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Market Street RR/ Chicago Burlington & Quincy Railroad Segment (5AM1298.2)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Union Pacific Beltline RR Segment (5AM2083.1)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Burlington and Colorado/Chicago, Burlington, and Quincy Railroad Segment (5DV6247.3)	No Use	No Use	No Use	No Use	No Use
Union Pacific Railroad Segment (5DV6248.4)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Rocky Mountain Arsenal Railroad Segment (5DV7048.2)	No Use	No Use	Use	Use	Use
Hovan/Plazola Residence 4673 Josephine Street (5DV1172)	No Use	No Use	No Use	No Use	No Use



**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Kosik Residence 4681-4683 Baldwin Court (5DV1247)	No Use	No Use	No Use	No Use	No Use
Miranda Residence 4632 Josephine Street (5DV5677)	No Use	No Use	No Use	No Use	No Use
Colonial Manor Tourist Court 2615 East 46th Avenue (5DV7130)	Use	No Use	Use	No Use	Use
Tri-R Recycling 3600 East 48th Avenue (5DV9227)	No Use	No Use	No Use	No Use	No Use
Univar 4300 Holly Street (5DV9231)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Safeway Distribution Center Historic District (5DV9232)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue (5DV9245)	No Use	Use	No Use	Use	No Use
Sanchez Business 2381 East 46th Avenue (5DV9655)	Use	No Use	Use	No Use	Use
Stop-N-Shop Food Store 4600 York Street (5DV9801)	Use	No Use	Use	No Use	Use
Torres Residence 4656 Baldwin Court (5DV9660)	No Use	No Use	No Use	No Use	No Use
Brown and Alarid Residence 4637 Claude Court (5DV9667)	No Use	No Use	No Use	No Use	Use
Toth/Kelly Residence 4639 Claude Court (5DV9668)	No Use	No Use	No Use	No Use	Use
Rodriguez Residence 4539 Clayton Street (5DV9678)	No Use	No Use	No Use	Use	No Use
4541 Clayton LLC Residence 4541 Clayton Street (5DV9679)	No Use	No Use	No Use	Use	No Use



**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Castorena/Braswell Residence 4631 Columbine Street (5DV9705)	No Use	No Use	No Use	No Use	No Use
Pavon Residence 4633 Columbine Street (5DV9706)	No Use	No Use	No Use	No Use	No Use
Olive Street LLC Property 4503 Fillmore Street (5DV9714)	No Use	No Use	No Use	No Use	No Use
Rudy/Bernal Residence 4618 High Street (5DV9735)	Use	No Use	Use	Use	Use
Langenberg Residence 4502 Josephine Street (5DV9742)	No Use	No Use	No Use	No Use	No Use
Chavez Residence 4628 Josephine Street (5DV9748)	No Use	No Use	No Use	No Use	No Use
Waggoner Residence 4647 Josephine Street (5DV9751)	No Use	No Use	No Use	No Use	No Use
James Residence 4651 Josephine Street (5DV9753)	No Use	No Use	No Use	No Use	No Use
Krutzler/Barajas Residence 4681 Josephine Street (5DV9761)	No Use	No Use	No Use	No Use	No Use
Geo Trust/Araujo Residence 4682 Josephine Street (5DV9762)	No Use	No Use	No Use	No Use	No Use
Lovato Residence 4696 Josephine Street (5DV5623/5DV9765)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4617-4625 Race Street (5DV9780)	Use	No Use	Use	Use	Use
Kenworthy/Wyckoff Residence 4529 Josephine Street (5DV9745)	No Use	No Use	No Use	Use	No Use
Portales Residence 4608 Josephine Street (5DV9746)	Use	No Use	Use	No Use	Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Portales Residence/ Windsor Artesian Water Company 4623-4625 Thompson Court (5DV9787)	No Use	No Use	No Use	No Use	No Use
Adams Clock LLC/Mann Residence 4645 Williams Street (5DV9795)	No Use	No Use	No Use	No Use	No Use
E.G. Trading Post 1630-1632 East 47th Avenue (5DV9805)	No Use	No Use	No Use	No Use	No Use
Miller Residence 4675 Williams Street (5DV9823)	No Use	No Use	No Use	No Use	No Use
Herzberg Property 4665-4669 Williams Street (5DV9828)	No Use	No Use	No Use	No Use	No Use
Yoshimura Residence 4450 Adams Street (5DV9966)	No Use	No Use	No Use	No Use	No Use
McGee Residence 4460 Adams Street (5DV9968)	No Use	No Use	No Use	No Use	No Use
General Motors Corporation-Goalie Construction Business 4715 Colorado Boulevard (5DV9988)	No Use	No Use	No Use	No Use	No Use
4800 Colorado LLC/United States Rubber Company. 4800 Colorado Boulevard (5DV9989)	No Use	No Use	No Use	No Use	No Use
Gonzales Residence 4515 Columbine Street (5DV9994)	No Use	No Use	No Use	No Use	No Use
Tomas/Eagan Residence 4653 Columbine Street (5DV9996)	No Use	No Use	No Use	No Use	No Use
Vasquez Residence 4450 Cook Street (5DV10003)	No Use	No Use	No Use	No Use	No Use
Guerca/Perez Residence 4446 Fillmore Street (5D10013)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Tenenbaum Residence 4453 Fillmore Street (5DV10014)	No Use	No Use	No Use	No Use	No Use
Ponce Residence 4668 High Street (5DV10034)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4695 High Street (5DV10040)	No Use	No Use	No Use	No Use	No Use
Core Power Construction/Buckley JD Inc.-Buckley Explosives of Wyoming 4701 Jackson Street (5DV10047)	No Use	No Use	No Use	No Use	No Use
Huffman Residence 4707 Josephine Street (5DV10058)	No Use	No Use	No Use	No Use	No Use
Lopez/Hartzell Residence 4461 Milwaukee Street (5DV10065)	No Use	No Use	No Use	No Use	No Use
Allen Investment Group, Inc./ Kretschmar Residence 4662-4664 Williams Street (5DV10085)	No Use	No Use	No Use	No Use	No Use
Clay II LLC/Rosthan Residence 4459 Thompson Court (5DV10124)	No Use	No Use	No Use	No Use	No Use
Alfred R. Wessel Historic District (5DV10126)	Use	No Use	Use	Use	Use
Abrams/Loretta Residence 4679 Vine Street (5DV10135)	No Use	No Use	No Use	No Use	No Use
National Western Historic District (5DV10050)	No Use	No Use	No Use	No Use	<i>De minimis</i>
Banker's Warehouse Co. (5DV11720)	No Use	No Use	No Use	No Use	<i>De minimis</i>
High Line Canal (5AM261.2)	No Use	No Use	No Use	No Use	No Use
Globeville Historic District (5DV1961)	No Use	No Use	No Use	No Use	No Use
Garden Place Historic District (5DV1960)	No Use	No Use	No Use	No Use	No Use

We request your concurrence with the expanded APE, updated Determinations of Effects outlined above, and acknowledgement of the *de minimis* notifications. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



✓ Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachments: APE Map



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 2, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

**SUBJECT:** APE Update, Updated Effect Determinations and *De Minimis* Notification,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Gause:

This letter and attached materials constitute a request for comments on the expanded Area of Potential Effect (APE) and on modified determinations of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). We have also provided notifications for Section 4(f) findings.

As plans for the project have progressed, more specific details regarding easement needs, measurements, and the distance of improvements from resources have been developed as the linework and project plans have been refined. Most effects determinations remain the same, and in those instances this correspondence offers updates to the specific impact measurements based on the most up to date information. There are four (4) resources, however, that will now experience reduced impacts resulting in a determination of *no adverse effect* based on the refined plans under the No Action Alternative, South Alternative whereas the March 2015 *Section 106 Effects Report* communicated an adverse effect.

The March 2015 *Section 106 Effects Report* lists effects to each resource for a Partial Cover Lowered Alternative with two options: Basic and Modified. The project team has since blended those two options into what is being referred to as the Partial Cover Lowered Alternative, Combined Option. This alternative will henceforth be referred to as the Partial Cover Lowered Alternative and the effects determinations in the March 2015 *Section 106 Effects Report* have not changed from those that were communicated with regard to the Partial Cover Lowered Alternative.

### APE Updates

1. One property was mistakenly omitted from the previous APE graphics. It was consulted upon along with the rest of the properties within the APE, however the graphic depiction inadvertently omitted the property. This modification simply serves to update the APE graphic to reflect the inclusion of the United States Rubber Co., 4800 Colorado Boulevard (5DV9989) property. The omitted property was surveyed and eligibility was concurred with in a letter from SHPO dated May 28, 2013. In addition, the effects to this resource were consulted on and concurred with in a letter from SHPO dated April 27, 2015.
2. The APE is being expanded north of I-70 between Brighton Boulevard and Colorado Boulevard to East 47<sup>th</sup> Avenue, with the exception of the Swansea School property, to account for planned mitigation activities for Environmental Justice. The APE already meets East 47<sup>th</sup> Avenue in most



areas between Brighton and Colorado Boulevards, however two areas of the APE were expanded north to meet East 47<sup>th</sup> Avenue; between High and Vine Streets and between Fillmore and Milwaukee Streets. Please refer to the enclosed APE graphic for additional information.

#### **Eligibility & Effects: Properties added to the APE**

Residential properties in the area between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. The APE was expanded to cover this area and includes approximately ninety (90) eligible historic properties. Fourteen (14) of these are new properties within the expanded APE, which have not been individually evaluated to determine eligibility and will be *treated as eligible for the purpose of the project and Section 106 compliance*, and therefore Smithsonian numbers were not assigned. These properties are reflected in the table below.

Residents with air conditioning may have the option of closing their windows to mitigate the effects of both noise and dust, however many residents rely on the ventilation provided by open windows to cool their homes. As a mitigation measure under Environmental Justice, CDOT will provide residential properties in this area with two free portable or window-mounted air conditioning units with air filtration and assistance with potential additional utility costs during construction. Portable air-conditioning units, located inside a house and not mechanically connected to any architectural elements, will not affect the character or integrity of historic properties. Window-mounted units are non-permanent, reversible appliances that meet Standard 10 of the Secretary of the Interior's Standards for Rehabilitation. The project will result in a determination of *no adverse effect* to each of the approximately ninety (90) historic resources affected, including the fourteen (14) newly identified properties reflected in the table below.

#### **New Properties within the APE**

<b>Property Address</b>	<b>Date of Construction</b>	<b>Determination of Eligibility</b>	<b>Determination of Effect</b>
4700 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4690 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4680 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4675 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4685 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4695 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
1912/1917 E. 47 <sup>th</sup> Avenue	1886	<i>Treat as eligible</i>	No Adverse Effect
4690 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4678 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4681 Race Street	1886	<i>Treat as eligible</i>	No Adverse Effect
2000 E. 47 <sup>th</sup> Avenue	1903	<i>Treat as eligible</i>	No Adverse Effect
4684 Race Street	1902	<i>Treat as eligible</i>	No Adverse Effect
4691 Vine Street	1922	<i>Treat as eligible</i>	No Adverse Effect
4688 Vine Street	1907	<i>Treat as eligible</i>	No Adverse Effect

### **Updated FEIS Effects Determinations**

#### **Burlington Ditch/ O'Brien Canal (5AM465.9):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a 24-inch plastic pipe within a steel casing would be placed over a portion of the Burlington Ditch/ O'Brien Canal measuring approximately 50 feet, where it would drop down and outlet into the Platte River via a manhole/ vault located within the South Platte River. Should the stormwater pump system fail, the detention pond would fill until the emergency overflow level, at which point storm flows would then flow out of the pond through a 72-inch pipe and outlet into the Burlington Ditch. In order to construct these elements, a 52-foot permanent easement will be placed over the centerline of the pipe and acquired from the ditch company. These alterations would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option, therefore, CDOT concludes the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concludes the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the

addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.

**Market Street Railroad/ Chicago, Burlington & Quincy Railroad (5AM1298):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a temporary easement measuring 295 feet on the railroad grade associated with the Revised Viaduct Alternative, North Option. This option would reconstruct the railroad tracks in place and would add railroad-crossing panels, which would create a temporary effect to the railroad. The undertaking would involve replacement of the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require replacing the bridge that now crosses the railroad between Steele Street/ Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, replacement of railroad track along the existing alignment, and the additional temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be replaced along the historic alignment and within the historic right-of-way (ROW). The tracks, rail ties, and track bedding have already been regularly updated and are not original. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.  
The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of setting may be impacted by the removal and replacement of the existing viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the entire linear resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, however, a temporary construction easement measuring 335 feet would be required from the railroad. Because the alternative would result in similar effects and would not effect the integrity of design and association, which are crucial to convey the railroad's significance under Criterion A, CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect**

- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Union Pacific Railroad (SDV6248):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** For the No-Action Alternative, North Option, the existing Union Pacific Railroad Bridge (E-17-Z) over East 46<sup>th</sup> Avenue would remain in place. Reconstruction of the viaduct above the Union Pacific Railroad Bridge would require a construction easement of approximately 210 feet. The proposed work, however, would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the No-Action Alternative, North Option would have **No Adverse Effect** on the Union Pacific Railroad.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would also result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would require a similar construction easement as the No-Action Alternative, North and South Options. The construction easement under the Revised Viaduct Alternatives, however, would measure 300 feet. In addition to the viaduct construction, a 4-foot by 10-foot storm drain would be bored beneath the tracks at Claude Court, which will have no track bed impacts. The bore locations will be outside historic ROW. The acquisition of the temporary construction easement, and the storm drain bore beneath the tracks would not diminish any integrity of materials or workmanship, as those aspects have already been impacted in the area through routine and continued maintenance. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain, and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would have **No Adverse Effect** for this resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option and would also require a 300-foot temporary easement from the railroad. The effects are similar to those described under the Revised Viaduct Alternative, North Option and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT concluded that the Raised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.



- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Univar (5DV9231):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** There would be a permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Revised Viaduct Alternative, North Option. The acquisition would impact a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Revised Viaduct Alternative, North Option would result in indirect effects in the form of noise, visual, and historic setting changes to this resource. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and the added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the revised viaduct or other visual changes, including the closer proximity of the viaduct to the resource and acquisition of a small amount of the property from the corners of the property that have already been paved, would not affect the features that qualify the resource for inclusion in the National Register of Historic Places (NRHP). Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, including the permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the property. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** There would be permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Partial Cover Lower Alternative. The acquisition would result in a permanent impact to a portion of the parking lot along the northeastern and northwestern edges of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.



The Partial Cover Lowered Alternative would result in indirect effects in the form of noise, visual, and historic setting changes to this resource as a result of the lowered highway. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the lowered highway or other visual changes, and the acquisition of a small portion from the corners of the property would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for the resource.

**Safeway Historic District (5DV9232):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
- **Partial Cover Lowered Alternative:** There would be a partial ROW acquisition of 2.1 acres associated with the Partial Cover Lowered Alternative. The land impacted by this ROW acquisition consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district that was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District.

There would also be visual and historic setting changes in the area as a result of this alternative. These constitute indirect effects to the district, but do not diminish character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. The removal of the Transport Control Facility, a non-contributing feature within the district, would not adversely impact the historic district. Therefore, CDOT has determined that the Partial Covered Lowered Alternative would result in a finding of **No Adverse Effect** to the Safeway Distribution Center Historic District.

**Sanchez Business (5DV9655):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions

as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Stop-N-Shop (5DV9801):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**National Western Historic District (SDV10050):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.

- **Partial Cover Lowered Alternative:** Under this alternative, I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity. The lowering of I-70 would begin east of Brighton Boulevard, approximately 360 feet east of the eastern edge of the historic district. The interstate reconstruction work would not impact the National Western Historic District directly because it would take place 360 feet from the historic district.

A stormwater outfall pipe would be installed south of I-70, which would be built south of the Denver Coliseum (5DV9162 [5DV9282]) underneath the parking lot between the Denver Coliseum and the South Platte River. This would require an easement of approximately 2.8 acres that would be located within the Denver Coliseum parking lot. The outfall system would result in the placement of a new stormwater pipe underneath the pavement, which is not original and has been re-paved as needed throughout the years. This would not change or modify the current appearance of the historic district or its contributing features.

The Partial Cover Lowered Alternative would result in a small increase in traffic noise over time within the district due to capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study. Although the stormwater drain and restriping of I-70 within the historic district boundaries constitute an effect, they would not alter the character-defining features or the ability of the district to convey significance to the NRHP under Criteria A or C. The district would still retain its association with the commercial, economic, and social historic of Colorado and the diverse building styles and types would remain unaltered. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for this resource.

#### **Colonial Motel (5DV7130):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 5.5 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall under this alternative.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order



to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Portales Residence (5DV9746):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements, or ROW acquisitions, as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary, and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any



easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Wessel District (5DV10126):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as those communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- *adverse effect*. However, more information regarding the amount of ROW that will be acquired from the two contributing properties are now known. The proposed Revised Viaduct Alternative, South Option would require the acquisition of 0.2 acres of the historic district into the I-70 corridor, with 0.03 acres coming from the Warren residence (5DV9726), 0.002 acres from the Griffie residence (5DV9727), and the remaining from non-contributing properties. While this option permanently incorporates a small portion of contributing properties into the transportation facility, it will not demolish any contributing buildings. Nevertheless, because the acquisitions from the two contributing resources may impact fences and vegetation, CDOT has determined that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.
- **Partial Cover Lowered Alternative:** Under the Partial Cover Lowered Alternative, the alignment of the westbound 46<sup>th</sup> Avenue lanes will pass through the southwestern boundary of the historic district. This alternative will result in the acquisition of 2.02 acres from the historic district and demolition of nine (9) contributing properties. Because the demolition of these contributing resources would diminish the integrity of design, materials, and workmanship, and the ability of the district to convey significance under Criteria A and C, the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the historic district.

#### **Notification of Section 4(f) De Minimis Determination**

The finding of *no adverse effect* outlined for the above resources, as well as those concurred on by SHPO via correspondence dated September 23, 2014, April 27, 2015, May 7, 2015, June 2, 2015, and June 15, 2015 under Section 106 reflects a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for those historic resources. A table depicting the Section 4(f) resources and their use determinations is included below, with resources subject to a *de minimis* use highlighted in green and a full use under Section 4(f) highlighted in yellow, which will result in individual Section 4(f) evaluations.

#### **Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Riverside Cemetery 5201 Brighton Boulevard (5AM125)	No Use	No Use	No Use	No Use	No Use
York Street/East 40th Avenue Brick Sanitary Sewer (5DV11283)	No Use	No Use	No Use	No Use	Use
Delgany Common Interceptor Sewer (5DV4725.5)	No Use	No Use	No Use	No Use	No Use
Burlington Ditch/ O'Brien Canal (5AM465.9)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Market Street RR/ Chicago Burlington & Quincy Railroad Segment (5AM1298.2)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Union Pacific Beltline RR Segment (5AM2083.1)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Burlington and Colorado/Chicago, Burlington, and Quincy Railroad Segment (5DV6247.3)	No Use	No Use	No Use	No Use	No Use
Union Pacific Railroad Segment (5DV6248.4)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Rocky Mountain Arsenal Railroad Segment (5DV7048.2)	No Use	No Use	Use	Use	Use
Hovan/Plazola Residence 4673 Josephine Street (5DV1172)	No Use	No Use	No Use	No Use	No Use
Kosik Residence 4681–4683 Baldwin Court (5DV1247)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Miranda Residence 4632 Josephine Street (5DV5677)	No Use	No Use	No Use	No Use	No Use
Colonial Manor Tourist Court 2615 East 46th Avenue (5DV7130)	Use	No Use	Use	No Use	Use
Tri-R Recycling 3600 East 48th Avenue (5DV9227)	No Use	No Use	No Use	No Use	No Use
Univar 4300 Holly Street (5DV9231)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Safeway Distribution Center Historic District (5DV9232)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue (5DV9245)	No Use	Use	No Use	Use	No Use
Sanchez Business 2381 East 46th Avenue (5DV9655)	Use	No Use	Use	No Use	Use
Stop-N-Shop Food Store 4600 York Street (5DV9801)	Use	No Use	Use	No Use	Use
Torres Residence 4656 Baldwin Court (5DV9660)	No Use	No Use	No Use	No Use	No Use
Brown and Alarid Residence 4637 Claude Court (5DV9667)	No Use	No Use	No Use	No Use	Use
Toth/Kelly Residence 4639 Claude Court (5DV9668)	No Use	No Use	No Use	No Use	Use
Rodriguez Residence 4539 Clayton Street (5DV9678)	No Use	No Use	No Use	Use	No Use
4541 Clayton LLC Residence 4541 Clayton Street (5DV9679)	No Use	No Use	No Use	Use	No Use
Castorena/Braswell Residence 4631 Columbine Street (5DV9705)	No Use	No Use	No Use	No Use	No Use



**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Pavon Residence 4633 Columbine Street (5DV9706)	No Use	No Use	No Use	No Use	No Use
Olive Street LLC Property 4503 Fillmore Street (5DV9714)	No Use	No Use	No Use	No Use	No Use
Rudy/Bernal Residence 4618 High Street (5DV9735)	Use	No Use	Use	Use	Use
Langenberg Residence 4502 Josephine Street (5DV9742)	No Use	No Use	No Use	No Use	No Use
Chavez Residence 4628 Josephine Street (5DV9748)	No Use	No Use	No Use	No Use	No Use
Waggoner Residence 4647 Josephine Street (5DV9751)	No Use	No Use	No Use	No Use	No Use
James Residence 4651 Josephine Street (5DV9753)	No Use	No Use	No Use	No Use	No Use
Krutzler/Barajas Residence 4681 Josephine Street (5DV9761)	No Use	No Use	No Use	No Use	No Use
Geo Trust/Araujo Residence 4682 Josephine Street (5DV9762)	No Use	No Use	No Use	No Use	No Use
Lovato Residence 4696 Josephine Street (5DV5623/5DV9765)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4617-4625 Race Street (5DV9780)	Use	No Use	Use	Use	Use
Kenworthy/Wyckoff Residence 4529 Josephine Street (5DV9745)	No Use	No Use	No Use	Use	No Use
Portales Residence 4608 Josephine Street (5DV9746)	Use	No Use	Use	No Use	Use
Portales Residence/ Windsor Artesian Water Company 4623-4625 Thompson Court (5DV9787)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Adams Clock LLC/Mann Residence 4645 Williams Street (5DV9795)	No Use	No Use	No Use	No Use	No Use
E.G. Trading Post 1630-1632 East 47th Avenue (5DV9805)	No Use	No Use	No Use	No Use	No Use
Miller Residence 4675 Williams Street (5DV9823)	No Use	No Use	No Use	No Use	No Use
Herzberg Property 4665-4669 Williams Street (5DV9828)	No Use	No Use	No Use	No Use	No Use
Yoshimura Residence 4450 Adams Street (5DV9966)	No Use	No Use	No Use	No Use	No Use
McGee Residence 4460 Adams Street (5DV9968)	No Use	No Use	No Use	No Use	No Use
General Motors Corporation-Goalie Construction Business 4715 Colorado Boulevard (5DV9988)	No Use	No Use	No Use	No Use	No Use
4800 Colorado LLC/United States Rubber Company. 4800 Colorado Boulevard (5DV9989)	No Use	No Use	No Use	No Use	No Use
Gonzales Residence 4515 Columbine Street (5DV9994)	No Use	No Use	No Use	No Use	No Use
Tomas/Eagan Residence 4653 Columbine Street (5DV9996)	No Use	No Use	No Use	No Use	No Use
Vasquez Residence 4450 Cook Street (5DV10003)	No Use	No Use	No Use	No Use	No Use
Guerca/Perez Residence 4446 Fillmore Street (5D10013)	No Use	No Use	No Use	No Use	No Use
Tenenbaum Residence 4453 Fillmore Street (5DV10014)	No Use	No Use	No Use	No Use	No Use



#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Ponce Residence 4668 High Street (5DV10034)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4695 High Street (5DV10040)	No Use	No Use	No Use	No Use	No Use
Core Power Construction/Buckley JD Inc.-Buckley Explosives of Wyoming 4701 Jackson Street (5DV10047)	No Use	No Use	No Use	No Use	No Use
Huffman Residence 4707 Josephine Street (5DV10058)	No Use	No Use	No Use	No Use	No Use
Lopez/Hartzell Residence 4461 Milwaukee Street (5DV10065)	No Use	No Use	No Use	No Use	No Use
Allen Investment Group, Inc./ Kretschmar Residence 4662-4664 Williams Street (5DV10085)	No Use	No Use	No Use	No Use	No Use
Clay II LLC/Rosthan Residence 4459 Thompson Court (5DV10124)	No Use	No Use	No Use	No Use	No Use
Alfred R. Wessel Historic District (5DV10126)	Use	No Use	Use	Use	Use
Abrams/Loretta Residence 4679 Vine Street (5DV10135)	No Use	No Use	No Use	No Use	No Use
National Western Historic District (5DV10050)	No Use	No Use	No Use	No Use	<i>De minimis</i>
Banker's Warehouse Co. (5DV11720)	No Use	No Use	No Use	No Use	<i>De minimis</i>
High Line Canal (5AM261.2)	No Use	No Use	No Use	No Use	No Use
Globeville Historic District (5DV1961)	No Use	No Use	No Use	No Use	No Use
Garden Place Historic District (5DV1960)	No Use	No Use	No Use	No Use	No Use

We request your comments on the expanded APE, updated Determinations of Effects outlined above, and acknowledgement of the *de minimis* notifications. Should you elect to respond, please provide comments within thirty (30) days of receipt of these materials, as stipulated by Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
for Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachments: APE Map



**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 2, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

**SUBJECT:** APE Update, Updated Effect Determinations and *De Minimis* Notification,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Eflin:

This letter and attached materials constitute a request for comments on the expanded Area of Potential Effect (APE) and on modified determinations of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). We have also provided notifications for Section 4(f) findings.

As plans for the project have progressed, more specific details regarding easement needs, measurements, and the distance of improvements from resources have been developed as the linework and project plans have been refined. Most effects determinations remain the same, and in those instances this correspondence offers updates to the specific impact measurements based on the most up to date information. There are four (4) resources, however, that will now experience reduced impacts resulting in a determination of *no adverse effect* based on the refined plans under the No Action Alternative, South Alternative whereas the March 2015 *Section 106 Effects Report* communicated an adverse effect.

The March 2015 *Section 106 Effects Report* lists effects to each resource for a Partial Cover Lowered Alternative with two options: Basic and Modified. The project team has since blended those two options into what is being referred to as the Partial Cover Lowered Alternative, Combined Option. This alternative will henceforth be referred to as the Partial Cover Lowered Alternative and the effects determinations in the March 2015 *Section 106 Effects Report* have not changed from those that were communicated with regard to the Partial Cover Lowered Alternative.

**APE Updates**

1. One property was mistakenly omitted from the previous APE graphics. It was consulted upon along with the rest of the properties within the APE, however the graphic depiction inadvertently omitted the property. This modification simply serves to update the APE graphic to reflect the inclusion of the United States Rubber Co., 4800 Colorado Boulevard (5DV9989) property. The omitted property was surveyed and eligibility was concurred with in a letter from SHPO dated May 28, 2013. In addition, the effects to this resource were consulted on and concurred with in a letter from SHPO dated April 27, 2015.
2. The APE is being expanded north of I-70 between Brighton Boulevard and Colorado Boulevard to East 47<sup>th</sup> Avenue, with the exception of the Swansea School property, to account for planned mitigation activities for Environmental Justice. The APE already meets East 47<sup>th</sup> Avenue in most

areas between Brighton and Colorado Boulevards, however two areas of the APE were expanded north to meet East 47<sup>th</sup> Avenue; between High and Vine Streets and between Fillmore and Milwaukee Streets. Please refer to the enclosed APE graphic for additional information.

#### **Eligibility & Effects: Properties added to the APE**

Residential properties in the area between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. The APE was expanded to cover this area and includes approximately ninety (90) eligible historic properties. Fourteen (14) of these are new properties within the expanded APE, which have not been individually evaluated to determine eligibility and will be *treated as eligible for the purpose of the project and Section 106 compliance*, and therefore Smithsonian numbers were not assigned. These properties are reflected in the table below.

Residents with air conditioning may have the option of closing their windows to mitigate the effects of both noise and dust, however many residents rely on the ventilation provided by open windows to cool their homes. As a mitigation measure under Environmental Justice, CDOT will provide residential properties in this area with two free portable or window-mounted air conditioning units with air filtration and assistance with potential additional utility costs during construction. Portable air-conditioning units, located inside a house and not mechanically connected to any architectural elements, will not affect the character or integrity of historic properties. Window-mounted units are non-permanent, reversible appliances that meet Standard 10 of the Secretary of the Interior's Standards for Rehabilitation. The project will result in a determination of *no adverse effect* to each of the approximately ninety (90) historic resources affected, including the fourteen (14) newly identified properties reflected in the table below.

#### **New Properties within the APE**

<b>Property Address</b>	<b>Date of Construction</b>	<b>Determination of Eligibility</b>	<b>Determination of Effect</b>
4700 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4690 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4680 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4675 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4685 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4695 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
1912/1917 E. 47 <sup>th</sup> Avenue	1886	<i>Treat as eligible</i>	No Adverse Effect
4690 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4678 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4681 Race Street	1886	<i>Treat as eligible</i>	No Adverse Effect
2000 E. 47 <sup>th</sup> Avenue	1903	<i>Treat as eligible</i>	No Adverse Effect
4684 Race Street	1902	<i>Treat as eligible</i>	No Adverse Effect
4691 Vine Street	1922	<i>Treat as eligible</i>	No Adverse Effect
4688 Vine Street	1907	<i>Treat as eligible</i>	No Adverse Effect

**Updated FEIS Effects Determinations**

**Burlington Ditch/ O'Brien Canal (SAM465.9):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a 24-inch plastic pipe within a steel casing would be placed over a portion of the Burlington Ditch/ O'Brien Canal measuring approximately 50 feet, where it would drop down and outlet into the Platte River via a manhole/ vault located within the South Platte River. Should the stormwater pump system fail, the detention pond would fill until the emergency overflow level, at which point storm flows would then flow out of the pond through a 72-inch pipe and outlet into the Burlington Ditch. In order to construct these elements, a 52-foot permanent easement will be placed over the centerline of the pipe and acquired from the ditch company. These alterations would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option, therefore, CDOT concludes the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concludes the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the



addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.

**Market Street Railroad/ Chicago, Burlington & Quincy Railroad (5AM1298):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a temporary easement measuring 295 feet on the railroad grade associated with the Revised Viaduct Alternative, North Option. This option would reconstruct the railroad tracks in place and would add railroad-crossing panels, which would create a temporary effect to the railroad. The undertaking would involve replacement of the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require replacing the bridge that now crosses the railroad between Steele Street/ Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, replacement of railroad track along the existing alignment, and the additional temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be replaced along the historic alignment and within the historic right-of-way (ROW). The tracks, rail ties, and track bedding have already been regularly updated and are not original. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.  
The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of setting may be impacted by the removal and replacement of the existing viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the entire linear resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, however, a temporary construction easement measuring 335 feet would be required from the railroad. Because the alternative would result in similar effects and would not effect the integrity of design and association, which are crucial to convey the railroad's significance under Criterion A, CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect**

- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Union Pacific Railroad (5DV6248):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** For the No-Action Alternative, North Option, the existing Union Pacific Railroad Bridge (E-17-Z) over East 46<sup>th</sup> Avenue would remain in place. Reconstruction of the viaduct above the Union Pacific Railroad Bridge would require a construction easement of approximately 210 feet. The proposed work, however, would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the No-Action Alternative, North Option would have **No Adverse Effect** on the Union Pacific Railroad.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would also result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would require a similar construction easement as the No-Action Alternative, North and South Options. The construction easement under the Revised Viaduct Alternatives, however, would measure 300 feet. In addition to the viaduct construction, a 4-foot by 10-foot storm drain would be bored beneath the tracks at Claude Court, which will have no track bed impacts. The bore locations will be outside historic ROW. The acquisition of the temporary construction easement, and the storm drain bore beneath the tracks would not diminish any integrity of materials or workmanship, as those aspects have already been impacted in the area through routine and continued maintenance. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain, and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would have **No Adverse Effect** for this resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option and would also require a 300-foot temporary easement from the railroad. The effects are similar to those described under the Revised Viaduct Alternative, North Option and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT concluded that the Raised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Univar (SDV9231):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Revised Viaduct Alternative, North Option. The acquisition would impact a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Revised Viaduct Alternative, North Option would result in indirect effects in the form of noise, visual, and historic setting changes to this resource. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and the added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the revised viaduct or other visual changes, including the closer proximity of the viaduct to the resource and acquisition of a small amount of the property from the corners of the property that have already been paved, would not affect the features that qualify the resource for inclusion in the National Register of Historic Places (NRHP). Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, including the permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the property. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** There would be permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Partial Cover Lower Alternative. The acquisition would result in a permanent impact to a portion of the parking lot along the northeastern and northwestern edges of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Partial Cover Lowered Alternative would result in indirect effects in the form of noise, visual, and historic setting changes to this resource as a result of the lowered highway. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the lowered highway or other visual changes, and the acquisition of a small portion from the corners of the property would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for the resource.

**Safeway Historic District (5DV9232):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
- **Partial Cover Lowered Alternative:** There would be a partial ROW acquisition of 2.1 acres associated with the Partial Cover Lowered Alternative. The land impacted by this ROW acquisition consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district that was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District.

There would also be visual and historic setting changes in the area as a result of this alternative. These constitute indirect effects to the district, but do not diminish character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. The removal of the Transport Control Facility, a non-contributing feature within the district, would not adversely impact the historic district. Therefore, CDOT has determined that the Partial Covered Lowered Alternative would result in a finding of **No Adverse Effect** to the Safeway Distribution Center Historic District.

**Sanchez Business (5DV9655):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions



as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Stop-N-Shop (SDV9801):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.



This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**National Western Historic District (5DV10050):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.

- **Partial Cover Lowered Alternative:** Under this alternative, I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity. The lowering of I-70 would begin east of Brighton Boulevard, approximately 360 feet east of the eastern edge of the historic district. The interstate reconstruction work would not impact the National Western Historic District directly because it would take place 360 feet from the historic district.

A stormwater outfall pipe would be installed south of I-70, which would be built south of the Denver Coliseum (5DV9162 [5DV9282]) underneath the parking lot between the Denver Coliseum and the South Platte River. This would require an easement of approximately 2.8 acres that would be located within the Denver Coliseum parking lot. The outfall system would result in the placement of a new stormwater pipe underneath the pavement, which is not original and has been re-paved as needed throughout the years. This would not change or modify the current appearance of the historic district or its contributing features.

The Partial Cover Lowered Alternative would result in a small increase in traffic noise over time within the district due to capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study. Although the stormwater drain and restriping of I-70 within the historic district boundaries constitute an effect, they would not alter the character-defining features or the ability of the district to convey significance to the NRHP under Criteria A or C. The district would still retain its association with the commercial, economic, and social historic of Colorado and the diverse building styles and types would remain unaltered. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for this resource.

#### **Colonial Motel (5DV7130):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 5.5 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall under this alternative.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order

to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Portales Residence (5DV9746):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements, or ROW acquisitions, as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary, and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any

easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Wessel District (5DV10126):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as those communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- *adverse effect*. However, more information regarding the amount of ROW that will be acquired from the two contributing properties are now known. The proposed Revised Viaduct Alternative, South Option would require the acquisition of 0.2 acres of the historic district into the I-70 corridor, with 0.03 acres coming from the Warren residence (5DV9726), 0.002 acres from the Griffie residence (5DV9727), and the remaining from non-contributing properties. While this option permanently incorporates a small portion of contributing properties into the transportation facility, it will not demolish any contributing buildings. Nevertheless, because the acquisitions from the two contributing resources may impact fences and vegetation, CDOT has determined that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.
- **Partial Cover Lowered Alternative:** Under the Partial Cover Lowered Alternative, the alignment of the westbound 46<sup>th</sup> Avenue lanes will pass through the southwestern boundary of the historic district. This alternative will result in the acquisition of 2.02 acres from the historic district and demolition of nine (9) contributing properties. Because the demolition of these contributing resources would diminish the integrity of design, materials, and workmanship, and the ability of the district to convey significance under Criteria A and C, the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the historic district.



### **Notification of Section 4(f) De Minimis Determination**

The finding of *no adverse effect* outlined for the above resources, as well as those concurred on by SHPO via correspondence dated September 23, 2014, April 27, 2015, May 7, 2015, June 2, 2015, and June 15, 2015 under Section 106 reflects a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for those historic resources. A table depicting the Section 4(f) resources and their use determinations is included below, with resources subject to a *de minimis* use highlighted in **green** and a full use under Section 4(f) highlighted in **yellow**, which will result in individual Section 4(f) evaluations.

### **Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Riverside Cemetery 5201 Brighton Boulevard (5AM125)	No Use	No Use	No Use	No Use	No Use
York Street/East 40th Avenue Brick Sanitary Sewer (5DV11283)	No Use	No Use	No Use	No Use	Use
Delgany Common Interceptor Sewer (5DV4725.5)	No Use	No Use	No Use	No Use	No Use
Burlington Ditch/ O'Brien Canal (5AM465.9)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Market Street RR/ Chicago Burlington & Quincy Railroad Segment (5AM1298.2)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Union Pacific Beltline RR Segment (5AM2083.1)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Burlington and Colorado/Chicago, Burlington, and Quincy Railroad Segment (5DV6247.3)	No Use	No Use	No Use	No Use	No Use
Union Pacific Railroad Segment (5DV6248.4)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Rocky Mountain Arsenal Railroad Segment (5DV7048.2)	No Use	No Use	Use	Use	Use
Hovan/Plazola Residence 4673 Josephine Street (5DV1172)	No Use	No Use	No Use	No Use	No Use
Kosik Residence 4681–4683 Baldwin Court (5DV1247)	No Use	No Use	No Use	No Use	No Use



**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Miranda Residence 4632 Josephine Street (5DV5677)	No Use	No Use	No Use	No Use	No Use
Colonial Manor Tourist Court 2615 East 46th Avenue (5DV7130)	Use	No Use	Use	No Use	Use
Tri-R Recycling 3600 East 48th Avenue (5DV9227)	No Use	No Use	No Use	No Use	No Use
Univar 4300 Holly Street (5DV9231)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Safeway Distribution Center Historic District (5DV9232)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue (5DV9245)	No Use	Use	No Use	Use	No Use
Sanchez Business 2381 East 46th Avenue (5DV9655)	Use	No Use	Use	No Use	Use
Stop-N-Shop Food Store 4600 York Street (5DV9801)	Use	No Use	Use	No Use	Use
Torres Residence 4656 Baldwin Court (5DV9660)	No Use	No Use	No Use	No Use	No Use
Brown and Alarid Residence 4637 Claude Court (5DV9667)	No Use	No Use	No Use	No Use	Use
Toth/Kelly Residence 4639 Claude Court (5DV9668)	No Use	No Use	No Use	No Use	Use
Rodriguez Residence 4539 Clayton Street (5DV9678)	No Use	No Use	No Use	Use	No Use
4541 Clayton LLC Residence 4541 Clayton Street (5DV9679)	No Use	No Use	No Use	Use	No Use
Castorena/Braswell Residence 4631 Columbine Street (5DV9705)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Pavon Residence 4633 Columbine Street (5DV9706)	No Use	No Use	No Use	No Use	No Use
Olive Street LLC Property 4503 Fillmore Street (5DV9714)	No Use	No Use	No Use	No Use	No Use
Rudy/Bernal Residence 4618 High Street (5DV9735)	Use	No Use	Use	Use	Use
Langenberg Residence 4502 Josephine Street (5DV9742)	No Use	No Use	No Use	No Use	No Use
Chavez Residence 4628 Josephine Street (5DV9748)	No Use	No Use	No Use	No Use	No Use
Waggoner Residence 4647 Josephine Street (5DV9751)	No Use	No Use	No Use	No Use	No Use
James Residence 4651 Josephine Street (5DV9753)	No Use	No Use	No Use	No Use	No Use
Krutzler/Barajas Residence 4681 Josephine Street (5DV9761)	No Use	No Use	No Use	No Use	No Use
Geo Trust/Araujo Residence 4682 Josephine Street (5DV9762)	No Use	No Use	No Use	No Use	No Use
Lovato Residence 4696 Josephine Street (5DV5623/5DV9765)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4617-4625 Race Street (5DV9780)	Use	No Use	Use	Use	Use
Kenworthy/Wyckoff Residence 4529 Josephine Street (5DV9745)	No Use	No Use	No Use	Use	No Use
Portales Residence 4608 Josephine Street (5DV9746)	Use	No Use	Use	No Use	Use
Portales Residence/ Windsor Artesian Water Company 4623-4625 Thompson Court (5DV9787)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Adams Clock LLC/Mann Residence 4645 Williams Street (5DV9795)	No Use	No Use	No Use	No Use	No Use
E.G. Trading Post 1630-1632 East 47th Avenue (5DV9805)	No Use	No Use	No Use	No Use	No Use
Miller Residence 4675 Williams Street (5DV9823)	No Use	No Use	No Use	No Use	No Use
Herzberg Property 4665-4669 Williams Street (5DV9828)	No Use	No Use	No Use	No Use	No Use
Yoshimura Residence 4450 Adams Street (5DV9966)	No Use	No Use	No Use	No Use	No Use
McGee Residence 4460 Adams Street (5DV9968)	No Use	No Use	No Use	No Use	No Use
General Motors Corporation-Goalie Construction Business 4715 Colorado Boulevard (5DV9988)	No Use	No Use	No Use	No Use	No Use
4800 Colorado LLC/United States Rubber Company. 4800 Colorado Boulevard (5DV9989)	No Use	No Use	No Use	No Use	No Use
Gonzales Residence 4515 Columbine Street (5DV9994)	No Use	No Use	No Use	No Use	No Use
Tomas/Eagan Residence 4653 Columbine Street (5DV9996)	No Use	No Use	No Use	No Use	No Use
Vasquez Residence 4450 Cook Street (5DV10003)	No Use	No Use	No Use	No Use	No Use
Guerca/Perez Residence 4446 Fillmore Street (5D10013)	No Use	No Use	No Use	No Use	No Use
Tenenbaum Residence 4453 Fillmore Street (5DV10014)	No Use	No Use	No Use	No Use	No Use

#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Ponce Residence 4668 High Street (5DV10034)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4695 High Street (5DV10040)	No Use	No Use	No Use	No Use	No Use
Core Power Construction/Buckley JD Inc.-Buckley Explosives of Wyoming 4701 Jackson Street (5DV10047)	No Use	No Use	No Use	No Use	No Use
Huffman Residence 4707 Josephine Street (5DV10058)	No Use	No Use	No Use	No Use	No Use
Lopez/Hartzell Residence 4461 Milwaukee Street (5DV10065)	No Use	No Use	No Use	No Use	No Use
Allen Investment Group, Inc./ Kretschmar Residence 4662-4664 Williams Street (5DV10085)	No Use	No Use	No Use	No Use	No Use
Clay II LLC/Rosthan Residence 4459 Thompson Court (5DV10124)	No Use	No Use	No Use	No Use	No Use
Alfred R. Wessel Historic District (5DV10126)	Use	No Use	Use	Use	Use
Abrams/Loretta Residence 4679 Vine Street (5DV10135)	No Use	No Use	No Use	No Use	No Use
National Western Historic District (5DV10050)	No Use	No Use	No Use	No Use	<i>De minimis</i>
Banker's Warehouse Co. (5DV11720)	No Use	No Use	No Use	No Use	<i>De minimis</i>
High Line Canal (5AM261.2)	No Use	No Use	No Use	No Use	No Use
Globeville Historic District (5DV1961)	No Use	No Use	No Use	No Use	No Use
Garden Place Historic District (5DV1960)	No Use	No Use	No Use	No Use	No Use

We request your comments on the expanded APE, updated Determinations of Effects outlined above, and acknowledgement of the *de minimis* notifications. Should you elect to respond, please provide comments within thirty (30) days of receipt of these materials, as stipulated by Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
for Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachments: APE Map





**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 2, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** APE Update, Updated Effect Determinations and *De Minimis* Notification,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Briggs:

This letter and attached materials constitute a request for comments on the expanded Area of Potential Effect (APE) and on modified determinations of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). We have also provided notifications for Section 4(f) findings.

As plans for the project have progressed, more specific details regarding easement needs, measurements, and the distance of improvements from resources have been developed as the linework and project plans have been refined. Most effects determinations remain the same, and in those instances this correspondence offers updates to the specific impact measurements based on the most up to date information. There are four (4) resources, however, that will now experience reduced impacts resulting in a determination of *no adverse effect* based on the refined plans under the No Action Alternative, South Alternative whereas the March 2015 *Section 106 Effects Report* communicated an adverse effect.

The March 2015 *Section 106 Effects Report* lists effects to each resource for a Partial Cover Lowered Alternative with two options: Basic and Modified. The project team has since blended those two options into what is being referred to as the Partial Cover Lowered Alternative, Combined Option. This alternative will henceforth be referred to as the Partial Cover Lowered Alternative and the effects determinations in the March 2015 *Section 106 Effects Report* have not changed from those that were communicated with regard to the Partial Cover Lowered Alternative.

**APE Updates**

1. One property was mistakenly omitted from the previous APE graphics. It was consulted upon along with the rest of the properties within the APE, however the graphic depiction inadvertently omitted the property. This modification simply serves to update the APE graphic to reflect the inclusion of the United States Rubber Co., 4800 Colorado Boulevard (5DV9989) property. The omitted property was surveyed and eligibility was concurred with in a letter from SHPO dated May 28, 2013. In addition, the effects to this resource were consulted on and concurred with in a letter from SHPO dated April 27, 2015.
2. The APE is being expanded north of I-70 between Brighton Boulevard and Colorado Boulevard to East 47<sup>th</sup> Avenue, with the exception of the Swansea School property, to account for planned mitigation activities for Environmental Justice. The APE already meets East 47<sup>th</sup> Avenue in most areas between Brighton and Colorado Boulevards, however two areas of the APE were expanded

north to meet East 47<sup>th</sup> Avenue; between High and Vine Streets and between Fillmore and Milwaukee Streets. Please refer to the enclosed APE graphic for additional information.

**Eligibility & Effects: Properties added to the APE**

Residential properties in the area between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. The APE was expanded to cover this area and includes approximately ninety (90) eligible historic properties. Fourteen (14) of these are new properties within the expanded APE, which have not been individually evaluated to determine eligibility and will be *treated as eligible for the purpose of the project and Section 106 compliance*, and therefore Smithsonian numbers were not assigned. These properties are reflected in the table below.

Residents with air conditioning may have the option of closing their windows to mitigate the effects of both noise and dust, however many residents rely on the ventilation provided by open windows to cool their homes. As a mitigation measure under Environmental Justice, CDOT will provide residential properties in this area with two free portable or window-mounted air conditioning units with air filtration and assistance with potential additional utility costs during construction. Portable air-conditioning units, located inside a house and not mechanically connected to any architectural elements, will not affect the character or integrity of historic properties. Window-mounted units are non-permanent, reversible appliances that meet Standard 10 of the Secretary of the Interior's Standards for Rehabilitation. The project will result in a determination of *no adverse effect* to each of the approximately ninety (90) historic resources affected, including the fourteen (14) newly identified properties reflected in the table below.

**New Properties within the APE**

Property Address	Date of Construction	Determination of Eligibility	Determination of Effect
4700 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4690 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4680 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4675 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4685 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4695 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
1912/1917 E. 47 <sup>th</sup> Avenue	1886	<i>Treat as eligible</i>	No Adverse Effect
4690 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4678 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4681 Race Street	1886	<i>Treat as eligible</i>	No Adverse Effect
2000 E. 47 <sup>th</sup> Avenue	1903	<i>Treat as eligible</i>	No Adverse Effect
4684 Race Street	1902	<i>Treat as eligible</i>	No Adverse Effect
4691 Vine Street	1922	<i>Treat as eligible</i>	No Adverse Effect
4688 Vine Street	1907	<i>Treat as eligible</i>	No Adverse Effect

**Updated FEIS Effects Determinations**

**Burlington Ditch/ O'Brien Canal (5AM465.9):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a 24-inch plastic pipe within a steel casing would be placed over a portion of the Burlington Ditch/ O'Brien Canal measuring approximately 50 feet, where it would drop down and outlet into the Platte River via a manhole/ vault located within the South Platte River. Should the stormwater pump system fail, the detention pond would fill until the emergency overflow level, at which point storm flows would then flow out of the pond through a 72-inch pipe and outlet into the Burlington Ditch. In order to construct these elements, a 52-foot permanent easement will be placed over the centerline of the pipe and acquired from the ditch company. These alterations would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option, therefore, CDOT concludes the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concludes the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the

resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.

**Market Street Railroad/ Chicago, Burlington & Quincy Railroad (5AM1298):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a temporary easement measuring 295 feet on the railroad grade associated with the Revised Viaduct Alternative, North Option. This option would reconstruct the railroad tracks in place and would add railroad-crossing panels, which would create a temporary effect to the railroad. The undertaking would involve replacement of the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require replacing the bridge that now crosses the railroad between Steele Street/ Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, replacement of railroad track along the existing alignment, and the additional temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be replaced along the historic alignment and within the historic right-of-way (ROW). The tracks, rail ties, and track bedding have already been regularly updated and are not original. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.  
The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of setting may be impacted by the removal and replacement of the existing viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the entire linear resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, however, a temporary construction easement measuring 335 feet would be required from the railroad. Because the alternative would result in similar effects and would not effect the integrity of design and association, which are crucial to convey the railroad's significance under Criterion A, CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect**



- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Union Pacific Railroad (SDV6248):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** For the No-Action Alternative, North Option, the existing Union Pacific Railroad Bridge (E-17-Z) over East 46<sup>th</sup> Avenue would remain in place. Reconstruction of the viaduct above the Union Pacific Railroad Bridge would require a construction easement of approximately 210 feet. The proposed work, however, would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the No-Action Alternative, North Option would have **No Adverse Effect** on the Union Pacific Railroad.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would also result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would require a similar construction easement as the No-Action Alternative, North and South Options. The construction easement under the Revised Viaduct Alternatives, however, would measure 300 feet. In addition to the viaduct construction, a 4-foot by 10-foot storm drain would be bored beneath the tracks at Claude Court, which will have no track bed impacts. The bore locations will be outside historic ROW. The acquisition of the temporary construction easement, and the storm drain bore beneath the tracks would not diminish any integrity of materials or workmanship, as those aspects have already been impacted in the area through routine and continued maintenance. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain, and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would have **No Adverse Effect** for this resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option and would also require a 300-foot temporary easement from the railroad. The effects are similar to those described under the Revised Viaduct Alternative, North Option and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT concluded that the Raised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.



- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Univar (5DV9231):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Revised Viaduct Alternative, North Option. The acquisition would impact a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Revised Viaduct Alternative, North Option would result in indirect effects in the form of noise, visual, and historic setting changes to this resource. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and the added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the revised viaduct or other visual changes, including the closer proximity of the viaduct to the resource and acquisition of a small amount of the property from the corners of the property that have already been paved, would not affect the features that qualify the resource for inclusion in the National Register of Historic Places (NRHP). Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, including the permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the property. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** There would be permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Partial Cover Lower Alternative. The acquisition would result in a permanent impact to a portion of the parking lot along the northeastern and northwestern edges of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Partial Cover Lowered Alternative would result in indirect effects in the form of noise, visual, and historic setting changes to this resource as a result of the lowered highway. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the lowered highway or other visual changes, and the acquisition of a small portion from the corners of the property would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for the resource.

**Safeway Historic District (5DV9232):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
- **Partial Cover Lowered Alternative:** There would be a partial ROW acquisition of 2.1 acres associated with the Partial Cover Lowered Alternative. The land impacted by this ROW acquisition consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district that was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District.

There would also be visual and historic setting changes in the area as a result of this alternative. These constitute indirect effects to the district, but do not diminish character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. The removal of the Transport Control Facility, a non-contributing feature within the district, would not adversely impact the historic district. Therefore, CDOT has determined that the Partial Covered Lowered Alternative would result in a finding of **No Adverse Effect** to the Safeway Distribution Center Historic District.

**Sanchez Business (5DV9655):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions

as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Stop-N-Shop (5DV9801):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**National Western Historic District (5DV10050):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.



- **Partial Cover Lowered Alternative:** Under this alternative, I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity. The lowering of I-70 would begin east of Brighton Boulevard, approximately 360 feet east of the eastern edge of the historic district. The interstate reconstruction work would not impact the National Western Historic District directly because it would take place 360 feet from the historic district.

A stormwater outfall pipe would be installed south of I-70, which would be built south of the Denver Coliseum (5DV9162 [5DV9282]) underneath the parking lot between the Denver Coliseum and the South Platte River. This would require an easement of approximately 2.8 acres that would be located within the Denver Coliseum parking lot. The outfall system would result in the placement of a new stormwater pipe underneath the pavement, which is not original and has been re-paved as needed throughout the years. This would not change or modify the current appearance of the historic district or its contributing features.

The Partial Cover Lowered Alternative would result in a small increase in traffic noise over time within the district due to capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study. Although the stormwater drain and restriping of I-70 within the historic district boundaries constitute an effect, they would not alter the character-defining features or the ability of the district to convey significance to the NRHP under Criteria A or C. The district would still retain its association with the commercial, economic, and social historic of Colorado and the diverse building styles and types would remain unaltered. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for this resource.

#### **Colonial Motel (5DV7130):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 5.5 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall under this alternative.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order



to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Portales Residence (5DV9746):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements, or ROW acquisitions, as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary, and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any

easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Wessel District (5DV10126):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as those communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- *adverse effect*. However, more information regarding the amount of ROW that will be acquired from the two contributing properties are now known. The proposed Revised Viaduct Alternative, South Option would require the acquisition of 0.2 acres of the historic district into the I-70 corridor, with 0.03 acres coming from the Warren residence (5DV9726), 0.002 acres from the Griffie residence (5DV9727), and the remaining from non-contributing properties. While this option permanently incorporates a small portion of contributing properties into the transportation facility, it will not demolish any contributing buildings. Nevertheless, because the acquisitions from the two contributing resources may impact fences and vegetation, CDOT has determined that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.
- **Partial Cover Lowered Alternative:** Under the Partial Cover Lowered Alternative, the alignment of the westbound 46<sup>th</sup> Avenue lanes will pass through the southwestern boundary of the historic district. This alternative will result in the acquisition of 2.02 acres from the historic district and demolition of nine (9) contributing properties. Because the demolition of these contributing resources would diminish the integrity of design, materials, and workmanship, and the ability of the district to convey significance under Criteria A and C, the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the historic district.

#### **Notification of Section 4(f) De Minimis Determination**

The finding of *no adverse effect* outlined for the above resources, as well as those concurred on by SHPO via correspondence dated September 23, 2014, April 27, 2015, May 7, 2015, June 2, 2015, and June 15, 2015 under Section 106 reflects a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for those historic resources. A table depicting the Section 4(f) resources and their use determinations is included below, with resources subject to a *de minimis* use highlighted in green and a full use under Section 4(f) highlighted in yellow, which will result in individual Section 4(f) evaluations.

#### **Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Riverside Cemetery 5201 Brighton Boulevard (5AM125)	No Use	No Use	No Use	No Use	No Use
York Street/East 40th Avenue Brick Sanitary Sewer (5DV11283)	No Use	No Use	No Use	No Use	Use
Delgany Common Interceptor Sewer (5DV4725.5)	No Use	No Use	No Use	No Use	No Use
Burlington Ditch/ O'Brien Canal (5AM465.9)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Market Street RR/ Chicago Burlington & Quincy Railroad Segment (5AM1298.2)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Union Pacific Beltline RR Segment (5AM2083.1)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Burlington and Colorado/Chicago, Burlington, and Quincy Railroad Segment (5DV6247.3)	No Use	No Use	No Use	No Use	No Use
Union Pacific Railroad Segment (5DV6248.4)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Rocky Mountain Arsenal Railroad Segment (5DV7048.2)	No Use	No Use	Use	Use	Use
Hovan/Plazola Residence 4673 Josephine Street (5DV1172)	No Use	No Use	No Use	No Use	No Use
Kosik Residence 4681–4683 Baldwin Court (5DV1247)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Miranda Residence 4632 Josephine Street (5DV5677)	No Use	No Use	No Use	No Use	No Use
Colonial Manor Tourist Court 2615 East 46th Avenue (5DV7130)	Use	No Use	Use	No Use	Use
Tri-R Recycling 3600 East 48th Avenue (5DV9227)	No Use	No Use	No Use	No Use	No Use
Univar 4300 Holly Street (5DV9231)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Safeway Distribution Center Historic District (5DV9232)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue (5DV9245)	No Use	Use	No Use	Use	No Use
Sanchez Business 2381 East 46th Avenue (5DV9655)	Use	No Use	Use	No Use	Use
Stop-N-Shop Food Store 4600 York Street (5DV9801)	Use	No Use	Use	No Use	Use
Torres Residence 4656 Baldwin Court (5DV9660)	No Use	No Use	No Use	No Use	No Use
Brown and Alarid Residence 4637 Claude Court (5DV9667)	No Use	No Use	No Use	No Use	Use
Toth/Kelly Residence 4639 Claude Court (5DV9668)	No Use	No Use	No Use	No Use	Use
Rodriguez Residence 4539 Clayton Street (5DV9678)	No Use	No Use	No Use	Use	No Use
4541 Clayton LLC Residence 4541 Clayton Street (5DV9679)	No Use	No Use	No Use	Use	No Use
Castorena/Braswell Residence 4631 Columbine Street (5DV9705)	No Use	No Use	No Use	No Use	No Use



#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Pavon Residence 4633 Columbine Street (5DV9706)	No Use	No Use	No Use	No Use	No Use
Olive Street LLC Property 4503 Fillmore Street (5DV9714)	No Use	No Use	No Use	No Use	No Use
Rudy/Bernal Residence 4618 High Street (5DV9735)	Use	No Use	Use	Use	Use
Langenberg Residence 4502 Josephine Street (5DV9742)	No Use	No Use	No Use	No Use	No Use
Chavez Residence 4628 Josephine Street (5DV9748)	No Use	No Use	No Use	No Use	No Use
Waggoner Residence 4647 Josephine Street (5DV9751)	No Use	No Use	No Use	No Use	No Use
James Residence 4651 Josephine Street (5DV9753)	No Use	No Use	No Use	No Use	No Use
Krutzler/Barajas Residence 4681 Josephine Street (5DV9761)	No Use	No Use	No Use	No Use	No Use
Geo Trust/Araujo Residence 4682 Josephine Street (5DV9762)	No Use	No Use	No Use	No Use	No Use
Lovato Residence 4696 Josephine Street (5DV5623/5DV9765)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4617-4625 Race Street (5DV9780)	Use	No Use	Use	Use	Use
Kenworthy/Wyckoff Residence 4529 Josephine Street (5DV9745)	No Use	No Use	No Use	Use	No Use
Portales Residence 4608 Josephine Street (5DV9746)	Use	No Use	Use	No Use	Use
Portales Residence/ Windsor Artesian Water Company 4623-4625 Thompson Court (5DV9787)	No Use	No Use	No Use	No Use	No Use



**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Adams Clock LLC/Mann Residence 4645 Williams Street (5DV9795)	No Use	No Use	No Use	No Use	No Use
E.G. Trading Post 1630-1632 East 47th Avenue (5DV9805)	No Use	No Use	No Use	No Use	No Use
Miller Residence 4675 Williams Street (5DV9823)	No Use	No Use	No Use	No Use	No Use
Herzberg Property 4665-4669 Williams Street (5DV9828)	No Use	No Use	No Use	No Use	No Use
Yoshimura Residence 4450 Adams Street (5DV9966)	No Use	No Use	No Use	No Use	No Use
McGee Residence 4460 Adams Street (5DV9968)	No Use	No Use	No Use	No Use	No Use
General Motors Corporation-Goalie Construction Business 4715 Colorado Boulevard (5DV9988)	No Use	No Use	No Use	No Use	No Use
4800 Colorado LLC/United States Rubber Company. 4800 Colorado Boulevard (5DV9989)	No Use	No Use	No Use	No Use	No Use
Gonzales Residence 4515 Columbine Street (5DV9994)	No Use	No Use	No Use	No Use	No Use
Tomas/Eagan Residence 4653 Columbine Street (5DV9996)	No Use	No Use	No Use	No Use	No Use
Vasquez Residence 4450 Cook Street (5DV10003)	No Use	No Use	No Use	No Use	No Use
Guerca/Perez Residence 4446 Fillmore Street (5D10013)	No Use	No Use	No Use	No Use	No Use
Tenenbaum Residence 4453 Fillmore Street (5DV10014)	No Use	No Use	No Use	No Use	No Use

#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Ponce Residence 4668 High Street (5DV10034)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4695 High Street (5DV10040)	No Use	No Use	No Use	No Use	No Use
Core Power Construction/Buckley JD Inc.-Buckley Explosives of Wyoming 4701 Jackson Street (5DV10047)	No Use	No Use	No Use	No Use	No Use
Huffman Residence 4707 Josephine Street (5DV10058)	No Use	No Use	No Use	No Use	No Use
Lopez/Hartzell Residence 4461 Milwaukee Street (5DV10065)	No Use	No Use	No Use	No Use	No Use
Allen Investment Group, Inc./ Kretschmar Residence 4662-4664 Williams Street (5DV10085)	No Use	No Use	No Use	No Use	No Use
Clay II LLC/Rosthan Residence 4459 Thompson Court (5DV10124)	No Use	No Use	No Use	No Use	No Use
Alfred R. Wessel Historic District (5DV10126)	Use	No Use	Use	Use	Use
Abrams/Loretta Residence 4679 Vine Street (5DV10135)	No Use	No Use	No Use	No Use	No Use
National Western Historic District (5DV10050)	No Use	No Use	No Use	No Use	<i>De minimis</i>
Banker's Warehouse Co. (5DV11720)	No Use	No Use	No Use	No Use	<i>De minimis</i>
High Line Canal (5AM261.2)	No Use	No Use	No Use	No Use	No Use
Globeville Historic District (5DV1961)	No Use	No Use	No Use	No Use	No Use
Garden Place Historic District (5DV1960)	No Use	No Use	No Use	No Use	No Use

We request your comments on the expanded APE, updated Determinations of Effects outlined above, and acknowledgement of the *de minimis* notifications. Should you elect to respond, please provide comments within thirty (30) days of receipt of these materials, as stipulated by Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
for Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachments: APE Map



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 2, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** APE Update, Updated Effect Determinations and *De Minimis* Notification,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Olson:

This letter and attached materials constitute a request for comments on the expanded Area of Potential Effect (APE) and on modified determinations of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). We have also provided notifications for Section 4(f) findings.

As plans for the project have progressed, more specific details regarding easement needs, measurements, and the distance of improvements from resources have been developed as the linework and project plans have been refined. Most effects determinations remain the same, and in those instances this correspondence offers updates to the specific impact measurements based on the most up to date information. There are four (4) resources, however, that will now experience reduced impacts resulting in a determination of *no adverse effect* based on the refined plans under the No Action Alternative, South Alternative whereas the March 2015 *Section 106 Effects Report* communicated an adverse effect.

The March 2015 *Section 106 Effects Report* lists effects to each resource for a Partial Cover Lowered Alternative with two options: Basic and Modified. The project team has since blended those two options into what is being referred to as the Partial Cover Lowered Alternative, Combined Option. This alternative will henceforth be referred to as the Partial Cover Lowered Alternative and the effects determinations in the March 2015 *Section 106 Effects Report* have not changed from those that were communicated with regard to the Partial Cover Lowered Alternative.

### APE Updates

1. One property was mistakenly omitted from the previous APE graphics. It was consulted upon along with the rest of the properties within the APE, however the graphic depiction inadvertently omitted the property. This modification simply serves to update the APE graphic to reflect the inclusion of the United States Rubber Co., 4800 Colorado Boulevard (5DV9989) property. The omitted property was surveyed and eligibility was concurred with in a letter from SHPO dated May 28, 2013. In addition, the effects to this resource were consulted on and concurred with in a letter from SHPO dated April 27, 2015.
2. The APE is being expanded north of I-70 between Brighton Boulevard and Colorado Boulevard to East 47<sup>th</sup> Avenue, with the exception of the Swansea School property, to account for planned mitigation activities for Environmental Justice. The APE already meets East 47<sup>th</sup> Avenue in most

areas between Brighton and Colorado Boulevards, however two areas of the APE were expanded north to meet East 47<sup>th</sup> Avenue; between High and Vine Streets and between Fillmore and Milwaukee Streets. Please refer to the enclosed APE graphic for additional information.

**Eligibility & Effects: Properties added to the APE**

Residential properties in the area between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. The APE was expanded to cover this area and includes approximately ninety (90) eligible historic properties. Fourteen (14) of these are new properties within the expanded APE, which have not been individually evaluated to determine eligibility and will be *treated as eligible for the purpose of the project and Section 106 compliance*, and therefore Smithsonian numbers were not assigned. These properties are reflected in the table below.

Residents with air conditioning may have the option of closing their windows to mitigate the effects of both noise and dust, however many residents rely on the ventilation provided by open windows to cool their homes. As a mitigation measure under Environmental Justice, CDOT will provide residential properties in this area with two free portable or window-mounted air conditioning units with air filtration and assistance with potential additional utility costs during construction. Portable air-conditioning units, located inside a house and not mechanically connected to any architectural elements, will not affect the character or integrity of historic properties. Window-mounted units are non-permanent, reversible appliances that meet Standard 10 of the Secretary of the Interior's Standards for Rehabilitation. The project will result in a determination of *no adverse effect* to each of the approximately ninety (90) historic resources affected, including the fourteen (14) newly identified properties reflected in the table below.

**New Properties within the APE**

<b>Property Address</b>	<b>Date of Construction</b>	<b>Determination of Eligibility</b>	<b>Determination of Effect</b>
4700 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4690 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4680 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4675 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4685 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4695 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
1912/1917 E. 47 <sup>th</sup> Avenue	1886	<i>Treat as eligible</i>	No Adverse Effect
4690 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4678 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4681 Race Street	1886	<i>Treat as eligible</i>	No Adverse Effect
2000 E. 47 <sup>th</sup> Avenue	1903	<i>Treat as eligible</i>	No Adverse Effect
4684 Race Street	1902	<i>Treat as eligible</i>	No Adverse Effect
4691 Vine Street	1922	<i>Treat as eligible</i>	No Adverse Effect
4688 Vine Street	1907	<i>Treat as eligible</i>	No Adverse Effect



**Updated FEIS Effects Determinations**

**Burlington Ditch/ O'Brien Canal (5AM465.9):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a 24-inch plastic pipe within a steel casing would be placed over a portion of the Burlington Ditch/ O'Brien Canal measuring approximately 50 feet, where it would drop down and outlet into the Platte River via a manhole/ vault located within the South Platte River. Should the stormwater pump system fail, the detention pond would fill until the emergency overflow level, at which point storm flows would then flow out of the pond through a 72-inch pipe and outlet into the Burlington Ditch. In order to construct these elements, a 52-foot permanent easement will be placed over the centerline of the pipe and acquired from the ditch company. These alterations would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option, therefore, CDOT concludes the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concludes the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the

addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.

**Market Street Railroad/ Chicago, Burlington & Quincy Railroad (5AM1298):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a temporary easement measuring 295 feet on the railroad grade associated with the Revised Viaduct Alternative, North Option. This option would reconstruct the railroad tracks in place and would add railroad-crossing panels, which would create a temporary effect to the railroad. The undertaking would involve replacement of the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require replacing the bridge that now crosses the railroad between Steele Street/ Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, replacement of railroad track along the existing alignment, and the additional temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be replaced along the historic alignment and within the historic right-of-way (ROW). The tracks, rail ties, and track bedding have already been regularly updated and are not original. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.  
The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of setting may be impacted by the removal and replacement of the existing viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the entire linear resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, however, a temporary construction easement measuring 335 feet would be required from the railroad. Because the alternative would result in similar effects and would not effect the integrity of design and association, which are crucial to convey the railroad's significance under Criterion A, CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect**

- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Union Pacific Railroad (5DV6248):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** For the No-Action Alternative, North Option, the existing Union Pacific Railroad Bridge (E-17-Z) over East 46<sup>th</sup> Avenue would remain in place. Reconstruction of the viaduct above the Union Pacific Railroad Bridge would require a construction easement of approximately 210 feet. The proposed work, however, would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the No-Action Alternative, North Option would have **No Adverse Effect** on the Union Pacific Railroad.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would also result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would require a similar construction easement as the No-Action Alternative, North and South Options. The construction easement under the Revised Viaduct Alternatives, however, would measure 300 feet. In addition to the viaduct construction, a 4-foot by 10-foot storm drain would be bored beneath the tracks at Claude Court, which will have no track bed impacts. The bore locations will be outside historic ROW. The acquisition of the temporary construction easement, and the storm drain bore beneath the tracks would not diminish any integrity of materials or workmanship, as those aspects have already been impacted in the area through routine and continued maintenance. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain, and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would have **No Adverse Effect** for this resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option and would also require a 300-foot temporary easement from the railroad. The effects are similar to those described under the Revised Viaduct Alternative, North Option and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT concluded that the Raised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Univar (5DV9231):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Revised Viaduct Alternative, North Option. The acquisition would impact a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Revised Viaduct Alternative, North Option would result in indirect effects in the form of noise, visual, and historic setting changes to this resource. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and the added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the revised viaduct or other visual changes, including the closer proximity of the viaduct to the resource and acquisition of a small amount of the property from the corners of the property that have already been paved, would not affect the features that qualify the resource for inclusion in the National Register of Historic Places (NRHP). Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, including the permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the property. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** There would be permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Partial Cover Lower Alternative. The acquisition would result in a permanent impact to a portion of the parking lot along the northeastern and northwestern edges of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.



The Partial Cover Lowered Alternative would result in indirect effects in the form of noise, visual, and historic setting changes to this resource as a result of the lowered highway. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the lowered highway or other visual changes, and the acquisition of a small portion from the corners of the property would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for the resource.

**Safeway Historic District (5DV9232):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
- **Partial Cover Lowered Alternative:** There would be a partial ROW acquisition of 2.1 acres associated with the Partial Cover Lowered Alternative. The land impacted by this ROW acquisition consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district that was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District.

There would also be visual and historic setting changes in the area as a result of this alternative. These constitute indirect effects to the district, but do not diminish character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. The removal of the Transport Control Facility, a non-contributing feature within the district, would not adversely impact the historic district. Therefore, CDOT has determined that the Partial Covered Lowered Alternative would result in a finding of **No Adverse Effect** to the Safeway Distribution Center Historic District.

**Sanchez Business (5DV9655):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions



as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Stop-N-Shop (5DV9801):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**National Western Historic District (5DV10050):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.

- **Partial Cover Lowered Alternative:** Under this alternative, I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity. The lowering of I-70 would begin east of Brighton Boulevard, approximately 360 feet east of the eastern edge of the historic district. The interstate reconstruction work would not impact the National Western Historic District directly because it would take place 360 feet from the historic district.

A stormwater outfall pipe would be installed south of I-70, which would be built south of the Denver Coliseum (5DV9162 [5DV9282]) underneath the parking lot between the Denver Coliseum and the South Platte River. This would require an easement of approximately 2.8 acres that would be located within the Denver Coliseum parking lot. The outfall system would result in the placement of a new stormwater pipe underneath the pavement, which is not original and has been re-paved as needed throughout the years. This would not change or modify the current appearance of the historic district or its contributing features.

The Partial Cover Lowered Alternative would result in a small increase in traffic noise over time within the district due to capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study. Although the stormwater drain and restriping of I-70 within the historic district boundaries constitute an effect, they would not alter the character-defining features or the ability of the district to convey significance to the NRHP under Criteria A or C. The district would still retain its association with the commercial, economic, and social historic of Colorado and the diverse building styles and types would remain unaltered. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for this resource.

#### **Colonial Motel (5DV7130):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 5.5 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall under this alternative.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order

to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Portales Residence (5DV9746):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements, or ROW acquisitions, as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary, and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any



easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Wessel District (SDV10126):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as those communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- *adverse effect*. However, more information regarding the amount of ROW that will be acquired from the two contributing properties are now known. The proposed Revised Viaduct Alternative, South Option would require the acquisition of 0.2 acres of the historic district into the I-70 corridor, with 0.03 acres coming from the Warren residence (SDV9726), 0.002 acres from the Griffie residence (SDV9727), and the remaining from non-contributing properties. While this option permanently incorporates a small portion of contributing properties into the transportation facility, it will not demolish any contributing buildings. Nevertheless, because the acquisitions from the two contributing resources may impact fences and vegetation, CDOT has determined that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.
- **Partial Cover Lowered Alternative:** Under the Partial Cover Lowered Alternative, the alignment of the westbound 46<sup>th</sup> Avenue lanes will pass through the southwestern boundary of the historic district. This alternative will result in the acquisition of 2.02 acres from the historic district and demolition of nine (9) contributing properties. Because the demolition of these contributing resources would diminish the integrity of design, materials, and workmanship, and the ability of the district to convey significance under Criteria A and C, the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the historic district.



#### **Notification of Section 4(f) *De Minimis* Determination**

The finding of *no adverse effect* outlined for the above resources, as well as those concurred on by SHPO via correspondence dated September 23, 2014, April 27, 2015, May 7, 2015, June 2, 2015, and June 15, 2015 under Section 106 reflects a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for those historic resources. A table depicting the Section 4(f) resources and their use determinations is included below, with resources subject to a *de minimis* use highlighted in green and a full use under Section 4(f) highlighted in yellow, which will result in individual Section 4(f) evaluations.

#### **Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Riverside Cemetery 5201 Brighton Boulevard (5AM125)	No Use	No Use	No Use	No Use	No Use
York Street/East 40th Avenue Brick Sanitary Sewer (5DV11283)	No Use	No Use	No Use	No Use	Use
Delgany Common Interceptor Sewer (5DV4725.5)	No Use	No Use	No Use	No Use	No Use
Burlington Ditch/ O'Brien Canal (5AM465.9)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Market Street RR/ Chicago Burlington & Quincy Railroad Segment (5AM1298.2)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Union Pacific Beltline RR Segment (5AM2083.1)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Burlington and Colorado/Chicago, Burlington, and Quincy Railroad Segment (5DV6247.3)	No Use	No Use	No Use	No Use	No Use
Union Pacific Railroad Segment (5DV6248.4)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Rocky Mountain Arsenal Railroad Segment (5DV7048.2)	No Use	No Use	Use	Use	Use
Hovan/Plazola Residence 4673 Josephine Street (5DV1172)	No Use	No Use	No Use	No Use	No Use
Kosik Residence 4681–4683 Baldwin Court (5DV1247)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Miranda Residence 4632 Josephine Street (5DV5677)	No Use	No Use	No Use	No Use	No Use
Colonial Manor Tourist Court 2615 East 46th Avenue (5DV7130)	Use	No Use	Use	No Use	Use
Tri-R Recycling 3600 East 48th Avenue (5DV9227)	No Use	No Use	No Use	No Use	No Use
Univar 4300 Holly Street (5DV9231)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Safeway Distribution Center Historic District (5DV9232)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue (5DV9245)	No Use	Use	No Use	Use	No Use
Sanchez Business 2381 East 46th Avenue (5DV9655)	Use	No Use	Use	No Use	Use
Stop-N-Shop Food Store 4600 York Street (5DV9801)	Use	No Use	Use	No Use	Use
Torres Residence 4656 Baldwin Court (5DV9660)	No Use	No Use	No Use	No Use	No Use
Brown and Alarid Residence 4637 Claude Court (5DV9667)	No Use	No Use	No Use	No Use	Use
Toth/Kelly Residence 4639 Claude Court (5DV9668)	No Use	No Use	No Use	No Use	Use
Rodriguez Residence 4539 Clayton Street (5DV9678)	No Use	No Use	No Use	Use	No Use
4541 Clayton LLC Residence 4541 Clayton Street (5DV9679)	No Use	No Use	No Use	Use	No Use
Castorena/Braswell Residence 4631 Columbine Street (5DV9705)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Pavon Residence 4633 Columbine Street (5DV9706)	No Use	No Use	No Use	No Use	No Use
Olive Street LLC Property 4503 Fillmore Street (5DV9714)	No Use	No Use	No Use	No Use	No Use
Rudy/Bernal Residence 4618 High Street (5DV9735)	Use	No Use	Use	Use	Use
Langenberg Residence 4502 Josephine Street (5DV9742)	No Use	No Use	No Use	No Use	No Use
Chavez Residence 4628 Josephine Street (5DV9748)	No Use	No Use	No Use	No Use	No Use
Waggoner Residence 4647 Josephine Street (5DV9751)	No Use	No Use	No Use	No Use	No Use
James Residence 4651 Josephine Street (5DV9753)	No Use	No Use	No Use	No Use	No Use
Krutzler/Barajas Residence 4681 Josephine Street (5DV9761)	No Use	No Use	No Use	No Use	No Use
Geo Trust/Araujo Residence 4682 Josephine Street (5DV9762)	No Use	No Use	No Use	No Use	No Use
Lovato Residence 4696 Josephine Street (5DV5623/5DV9765)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4617-4625 Race Street (5DV9780)	Use	No Use	Use	Use	Use
Kenworthy/Wyckoff Residence 4529 Josephine Street (5DV9745)	No Use	No Use	No Use	Use	No Use
Portales Residence 4608 Josephine Street (5DV9746)	Use	No Use	Use	No Use	Use
Portales Residence/ Windsor Artesian Water Company 4623-4625 Thompson Court (5DV9787)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Adams Clock LLC/Mann Residence 4645 Williams Street (5DV9795)	No Use	No Use	No Use	No Use	No Use
E.G. Trading Post 1630-1632 East 47th Avenue (5DV9805)	No Use	No Use	No Use	No Use	No Use
Miller Residence 4675 Williams Street (5DV9823)	No Use	No Use	No Use	No Use	No Use
Herzberg Property 4665-4669 Williams Street (5DV9828)	No Use	No Use	No Use	No Use	No Use
Yoshimura Residence 4450 Adams Street (5DV9966)	No Use	No Use	No Use	No Use	No Use
McGee Residence 4460 Adams Street (5DV9968)	No Use	No Use	No Use	No Use	No Use
General Motors Corporation-Goalie Construction Business 4715 Colorado Boulevard (5DV9988)	No Use	No Use	No Use	No Use	No Use
4800 Colorado LLC/United States Rubber Company. 4800 Colorado Boulevard (5DV9989)	No Use	No Use	No Use	No Use	No Use
Gonzales Residence 4515 Columbine Street (5DV9994)	No Use	No Use	No Use	No Use	No Use
Tomas/Eagan Residence 4653 Columbine Street (5DV9996)	No Use	No Use	No Use	No Use	No Use
Vasquez Residence 4450 Cook Street (5DV10003)	No Use	No Use	No Use	No Use	No Use
Guerca/Perez Residence 4446 Fillmore Street (5D10013)	No Use	No Use	No Use	No Use	No Use
Tenenbaum Residence 4453 Fillmore Street (5DV10014)	No Use	No Use	No Use	No Use	No Use



#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Ponce Residence 4668 High Street (5DV10034)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4695 High Street (5DV10040)	No Use	No Use	No Use	No Use	No Use
Core Power Construction/Buckley JD Inc.-Buckley Explosives of Wyoming 4701 Jackson Street (5DV10047)	No Use	No Use	No Use	No Use	No Use
Huffman Residence 4707 Josephine Street (5DV10058)	No Use	No Use	No Use	No Use	No Use
Lopez/Hartzell Residence 4461 Milwaukee Street (5DV10065)	No Use	No Use	No Use	No Use	No Use
Allen Investment Group, Inc./ Kretschmar Residence 4662-4664 Williams Street (5DV10085)	No Use	No Use	No Use	No Use	No Use
Clay II LLC/Rosthan Residence 4459 Thompson Court (5DV10124)	No Use	No Use	No Use	No Use	No Use
Alfred R. Wessel Historic District (5DV10126)	Use	No Use	Use	Use	Use
Abrams/Loretta Residence 4679 Vine Street (5DV10135)	No Use	No Use	No Use	No Use	No Use
National Western Historic District (5DV10050)	No Use	No Use	No Use	No Use	<i>De minimis</i>
Banker's Warehouse Co. (5DV11720)	No Use	No Use	No Use	No Use	<i>De minimis</i>
High Line Canal (5AM261.2)	No Use	No Use	No Use	No Use	No Use
Globeville Historic District (5DV1961)	No Use	No Use	No Use	No Use	No Use
Garden Place Historic District (5DV1960)	No Use	No Use	No Use	No Use	No Use



We request your comments on the expanded APE, updated Determinations of Effects outlined above, and acknowledgement of the *de minimis* notifications. Should you elect to respond, please provide comments within thirty (30) days of receipt of these materials, as stipulated by Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,

  
for Charles Attardo

Region 1 Planning and Environmental Manager

CC:

Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachments: APE Map



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 2, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** APE Update, Updated Effect Determinations and *De Minimis* Notification,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter and attached materials constitute a request for comments on the expanded Area of Potential Effect (APE) and on modified determinations of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). We have also provided notifications for Section 4(f) findings.

As plans for the project have progressed, more specific details regarding easement needs, measurements, and the distance of improvements from resources have been developed as the linework and project plans have been refined. Most effects determinations remain the same, and in those instances this correspondence offers updates to the specific impact measurements based on the most up to date information. There are four (4) resources, however, that will now experience reduced impacts resulting in a determination of *no adverse effect* based on the refined plans under the No Action Alternative, South Alternative whereas the March 2015 *Section 106 Effects Report* communicated an adverse effect.

The March 2015 *Section 106 Effects Report* lists effects to each resource for a Partial Cover Lowered Alternative with two options: Basic and Modified. The project team has since blended those two options into what is being referred to as the Partial Cover Lowered Alternative, Combined Option. This alternative will henceforth be referred to as the Partial Cover Lowered Alternative and the effects determinations in the March 2015 *Section 106 Effects Report* have not changed from those that were communicated with regard to the Partial Cover Lowered Alternative.

### APE Updates

1. One property was mistakenly omitted from the previous APE graphics. It was consulted upon along with the rest of the properties within the APE, however the graphic depiction inadvertently omitted the property. This modification simply serves to update the APE graphic to reflect the inclusion of the United States Rubber Co., 4800 Colorado Boulevard (5DV9989) property. The omitted property was surveyed and eligibility was concurred with in a letter from SHPO dated May 28, 2013. In addition, the effects to this resource were consulted on and concurred with in a letter from SHPO dated April 27, 2015.
2. The APE is being expanded north of I-70 between Brighton Boulevard and Colorado Boulevard to East 47<sup>th</sup> Avenue, with the exception of the Swansea School property, to account for planned mitigation activities for Environmental Justice. The APE already meets East 47<sup>th</sup> Avenue in most

areas between Brighton and Colorado Boulevards, however two areas of the APE were expanded north to meet East 47<sup>th</sup> Avenue; between High and Vine Streets and between Fillmore and Milwaukee Streets. Please refer to the enclosed APE graphic for additional information.

**Eligibility & Effects: Properties added to the APE**

Residential properties in the area between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. The APE was expanded to cover this area and includes approximately ninety (90) eligible historic properties. Fourteen (14) of these are new properties within the expanded APE, which have not been individually evaluated to determine eligibility and will be *treated as eligible for the purpose of the project and Section 106 compliance*, and therefore Smithsonian numbers were not assigned. These properties are reflected in the table below.

Residents with air conditioning may have the option of closing their windows to mitigate the effects of both noise and dust, however many residents rely on the ventilation provided by open windows to cool their homes. As a mitigation measure under Environmental Justice, CDOT will provide residential properties in this area with two free portable or window-mounted air conditioning units with air filtration and assistance with potential additional utility costs during construction. Portable air-conditioning units, located inside a house and not mechanically connected to any architectural elements, will not affect the character or integrity of historic properties. Window-mounted units are non-permanent, reversible appliances that meet Standard 10 of the Secretary of the Interior's Standards for Rehabilitation. The project will result in a determination of *no adverse effect* to each of the approximately ninety (90) historic resources affected, including the fourteen (14) newly identified properties reflected in the table below.

**New Properties within the APE**

<b>Property Address</b>	<b>Date of Construction</b>	<b>Determination of Eligibility</b>	<b>Determination of Effect</b>
4700 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4690 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4680 Fillmore Street	1946	<i>Treat as eligible</i>	No Adverse Effect
4675 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4685 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
4695 Milwaukee Street	1954	<i>Treat as eligible</i>	No Adverse Effect
1912/1917 E. 47 <sup>th</sup> Avenue	1886	<i>Treat as eligible</i>	No Adverse Effect
4690 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4678 High Street	1886	<i>Treat as eligible</i>	No Adverse Effect
4681 Race Street	1886	<i>Treat as eligible</i>	No Adverse Effect
2000 E. 47 <sup>th</sup> Avenue	1903	<i>Treat as eligible</i>	No Adverse Effect
4684 Race Street	1902	<i>Treat as eligible</i>	No Adverse Effect
4691 Vine Street	1922	<i>Treat as eligible</i>	No Adverse Effect
4688 Vine Street	1907	<i>Treat as eligible</i>	No Adverse Effect

### **Updated FEIS Effects Determinations**

#### **Burlington Ditch/ O'Brien Canal (5AM465.9):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a 24-inch plastic pipe within a steel casing would be placed over a portion of the Burlington Ditch/ O'Brien Canal measuring approximately 50 feet, where it would drop down and outlet into the Platte River via a manhole/ vault located within the South Platte River. Should the stormwater pump system fail, the detention pond would fill until the emergency overflow level, at which point storm flows would then flow out of the pond through a 72-inch pipe and outlet into the Burlington Ditch. In order to construct these elements, a 52-foot permanent easement will be placed over the centerline of the pipe and acquired from the ditch company. These alterations would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the No-Action Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option, therefore, CDOT concludes the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option. Therefore, CDOT concludes the Revised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** As part of the stormwater outfall structure into the South Platte River, a pipe would be placed over a 50-foot portion of the Burlington Ditch/ O'Brien Canal. In order to construct the pipe and outfall system, a permanent easement measuring 52 feet will be acquired over the centerline of the pipe. This pipe would be in a location where the ditch has been recently altered by a concrete channel that was constructed after the period of significance, which dates from 1886 to 1909. It is considered a non-historic alteration to the resource. The ditch/ canal already has multiple crossings over it, and the

addition of another pipe in an already impacted area would not diminish the integrity of the resource or its ability to convey significance under Criterion A. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for the Burlington Ditch/ O'Brien Canal.

**Market Street Railroad/ Chicago, Burlington & Quincy Railroad (5AM1298):**

- **No-Action Alternative**

- **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.

- **Revised Viaduct Alternative**

- **Revised Viaduct Alternative, North Option:** There would be a temporary easement measuring 295 feet on the railroad grade associated with the Revised Viaduct Alternative, North Option. This option would reconstruct the railroad tracks in place and would add railroad-crossing panels, which would create a temporary effect to the railroad. The undertaking would involve replacement of the existing elevated I-70 viaduct with another elevated and wider viaduct, which would require replacing the bridge that now crosses the railroad between Steele Street/ Vasquez Boulevard and Colorado Boulevard. Construction of the wider bridge, installation of railroad crossing panels, replacement of railroad track along the existing alignment, and the additional temporary easement would not change or modify any of the character-defining features, including the alignment and elevation of the railroad. The track would be replaced along the historic alignment and within the historic right-of-way (ROW). The tracks, rail ties, and track bedding have already been regularly updated and are not original. A six-foot diameter storm drain pipe also would be bored beneath the railroad, which may cause minor track bed impacts. At this time, it is anticipated that permanent easements would not be required to facilitate construction or maintenance of the storm drain pipe and that the bore locations would be outside the historic ROW.

The setting would be affected by the replacement of the viaduct; however, the area has already been modified outside the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of setting may be impacted by the removal and replacement of the existing viaduct, the integrity of design and association would remain. These aspects of integrity are crucial to convey the railroad's significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a finding of **No Adverse Effect** to the entire linear resource.

- **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, however, a temporary construction easement measuring 335 feet would be required from the railroad. Because the alternative would result in similar effects and would not effect the integrity of design and association, which are crucial to convey the railroad's significance under Criterion A, CDOT has determined that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect**



- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015-**Adverse Effect.**

**Union Pacific Railroad (5DV6248):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** For the No-Action Alternative, North Option, the existing Union Pacific Railroad Bridge (E-17-Z) over East 46<sup>th</sup> Avenue would remain in place. Reconstruction of the viaduct above the Union Pacific Railroad Bridge would require a construction easement of approximately 210 feet. The proposed work, however, would not change or modify the current appearance of the railroad grade or any of the character-defining features, including the alignment or elevation. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the No-Action Alternative, North Option would have **No Adverse Effect** on the Union Pacific Railroad.
  - **No-Action Alternative, South Option:** This option would have a similar effect as the No-Action Alternative, North Option. Therefore, CDOT concluded that the No-Action Alternative, South Option would also result in a determination of **No Adverse Effect** for this resource.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The Revised Viaduct Alternative, North Option would require a similar construction easement as the No-Action Alternative, North and South Options. The construction easement under the Revised Viaduct Alternatives, however, would measure 300 feet. In addition to the viaduct construction, a 4-foot by 10-foot storm drain would be bored beneath the tracks at Claude Court, which will have no track bed impacts. The bore locations will be outside historic ROW. The acquisition of the temporary construction easement, and the storm drain bore beneath the tracks would not diminish any integrity of materials or workmanship, as those aspects have already been impacted in the area through routine and continued maintenance. The replacement of the viaduct would change the setting of the railroad. However, the area surrounding the resource has already been modified outside of the period of significance with the alteration of surrounding land use for various industries and residential development. Although the integrity of the setting may be impacted, the integrity of design and association would remain, and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would have **No Adverse Effect** for this resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option and would also require a 300-foot temporary easement from the railroad. The effects are similar to those described under the Revised Viaduct Alternative, North Option and the proposed work would not impact the ability of the railroad to convey significance under Criterion A. Therefore, CDOT concluded that the Raised Viaduct Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**

**Univar (5DV9231):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** There would be a permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Revised Viaduct Alternative, North Option. The acquisition would impact a portion of the parking lot along the northern edge of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Revised Viaduct Alternative, North Option would result in indirect effects in the form of noise, visual, and historic setting changes to this resource. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and the added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the revised viaduct or other visual changes, including the closer proximity of the viaduct to the resource and acquisition of a small amount of the property from the corners of the property that have already been paved, would not affect the features that qualify the resource for inclusion in the National Register of Historic Places (NRHP). Therefore, CDOT has determined that the Revised Viaduct Alternative, North Option would result in a determination of **No Adverse Effect** to the resource.
  - **Revised Viaduct Alternative, South Option:** This option would have a similar effect as the Revised Viaduct Alternative, North Option, including the permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the property. Therefore, CDOT has concluded that the Revised Viaduct Alternative, South Option would result in a finding of **No Adverse Effect** for this resource.
- **Partial Cover Lowered Alternative:** There would be permanent ROW acquisition of 0.03 acres from the northwest and northeast corners of the Univar property associated with the Partial Cover Lower Alternative. The acquisition would result in a permanent impact to a portion of the parking lot along the northeastern and northwestern edges of the property to allow construction access for the planned improvements to I-70. The affected area is paved and utilized as a parking lot. Acquisition in this area will not affect the historic building or diminish the features of the property causing it to be eligible to the NRHP.

The Partial Cover Lowered Alternative would result in indirect effects in the form of noise, visual, and historic setting changes to this resource as a result of the lowered highway. This commercial property may experience a small increase in traffic noise over time due to the widening of I-70 and added capacity, although a detailed noise analysis of commercial areas was not performed as part of the noise study to verify this assumption. The building retains integrity of design, workmanship, and materials needed to be eligible under Criterion C, so the construction of the lowered highway or other visual changes, and the acquisition of a small portion from the corners of the property would not affect the features that qualify the resource for inclusion in the NRHP. Therefore, CDOT has determined that the Partial Cover Lowered Alternative would result in a finding of **No Adverse Effect** for the resource.

**Safeway Historic District (5DV9232):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected.**
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect.**
- **Partial Cover Lowered Alternative:** There would be a partial ROW acquisition of 2.1 acres associated with the Partial Cover Lowered Alternative. The land impacted by this ROW acquisition consists of the northern edge of the parking lot, the Transport Control Facility (5DV10395), and a small rectangular building on the northeast edge of the district that was officially determined to not contribute to the eligibility of the Safeway Distribution Center Historic District.

There would also be visual and historic setting changes in the area as a result of this alternative. These constitute indirect effects to the district, but do not diminish character-defining features, contributing features, or the integrity of location, materials, workmanship, design, feeling, or association integral to the significance of the district under Criteria A and C. The removal of the Transport Control Facility, a non-contributing feature within the district, would not adversely impact the historic district. Therefore, CDOT has determined that the Partial Covered Lowered Alternative would result in a finding of **No Adverse Effect** to the Safeway Distribution Center Historic District.

**Sanchez Business (5DV9655):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect.**
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions

as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Stop-N-Shop (5DV9801):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.



This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**National Western Historic District (5DV10050):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Historic Properties Affected**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.



- **Partial Cover Lowered Alternative:** Under this alternative, I-70 would be restriped through the historic district to add one general-purpose lane or two managed lanes in each direction to add capacity. The lowering of I-70 would begin east of Brighton Boulevard, approximately 360 feet east of the eastern edge of the historic district. The interstate reconstruction work would not impact the National Western Historic District directly because it would take place 360 feet from the historic district.

A stormwater outfall pipe would be installed south of I-70, which would be built south of the Denver Coliseum (5DV9162 [5DV9282]) underneath the parking lot between the Denver Coliseum and the South Platte River. This would require an easement of approximately 2.8 acres that would be located within the Denver Coliseum parking lot. The outfall system would result in the placement of a new stormwater pipe underneath the pavement, which is not original and has been re-paved as needed throughout the years. This would not change or modify the current appearance of the historic district or its contributing features.

The Partial Cover Lowered Alternative would result in a small increase in traffic noise over time within the district due to capacity increase and shifting of the lanes, although detailed noise analysis of commercial areas was not performed as part of the noise study. Although the stormwater drain and restriping of I-70 within the historic district boundaries constitute an effect, they would not alter the character-defining features or the ability of the district to convey significance to the NRHP under Criteria A or C. The district would still retain its association with the commercial, economic, and social historic of Colorado and the diverse building styles and types would remain unaltered. Therefore, CDOT concludes the Partial Cover Lowered Alternative would result in a determination of **No Adverse Effect** for this resource.

#### **Colonial Motel (5DV7130):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements or ROW acquisitions as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 5.5 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall under this alternative.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order

to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Portales Residence (5DV9746):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** This property is located on the north side of I-70 and there would be no temporary or permanent easements, or ROW acquisitions, as a result of this option. Currently, the interstate is immediately adjacent to this property; under the No-Action Alternative, South Option, the highway would be 21 feet from the resource. The existing viaduct is 24 feet tall, and under this alternative, the viaduct would be 28 feet tall.

This option includes potential indirect effects, including visual changes to the setting and increases in noise. Noise modeling for this alternative identified the need for noise mitigation in the form of noise walls to help offset increased noise levels. However, construction of noise walls, which will be placed on the edge of the viaduct (21 feet from the resource), does introduce a new modern element into the setting of the resource. The modification of the viaduct proposed under this alternative also represents a greater visual presence in the setting of the resource.

Though the proposed alteration of the viaduct and the construction of the proposed noise walls under this alternative represent a change in the setting of the resource and a larger visual intrusion, their construction would not diminish the ability of the resource to convey its significance, since these setting elements would not change the existing feature of the resource that qualify it for inclusion on the NRHP. Previously, it was communicated that an easement would be required from this property in order to construct this alternative. As the plans have progressed, it was determined that an easement is no longer necessary. The current plans will preserve the existing spatial relationship between the infrastructure and the resource boundary, and have minimized the impacts to the resource from what was consulted on in March 2015. Because the impacts are minimized and the resource will no longer be subject to any

easements, CDOT concluded that the No-Action Alternative, South Option would result in a determination of **No Adverse Effect** for this resource.

- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Partial Cover Lowered Alternative:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.

**Wessel District (5DV10126):**

- **No-Action Alternative**
  - **No-Action Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **No-Action Alternative, South Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **No Adverse Effect**.
- **Revised Viaduct Alternative**
  - **Revised Viaduct Alternative, North Option:** The effect will remain the same as communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- **Adverse Effect**.
  - **Revised Viaduct Alternative, South Option:** The effect will remain the same as those communicated in the March 2015 Section 106 Effects Report and concurred with by SHPO on April 27, 2015- *adverse effect*. However, more information regarding the amount of ROW that will be acquired from the two contributing properties are now known. The proposed Revised Viaduct Alternative, South Option would require the acquisition of 0.2 acres of the historic district into the I-70 corridor, with 0.03 acres coming from the Warren residence (5DV9726), 0.002 acres from the Griffie residence (5DV9727), and the remaining from non-contributing properties. While this option permanently incorporates a small portion of contributing properties into the transportation facility, it will not demolish any contributing buildings. Nevertheless, because the acquisitions from the two contributing resources may impact fences and vegetation, CDOT has determined that the Revised Viaduct Alternative, South Option would result in an **Adverse Effect** to the Alfred R. Wessel Historic District.
- **Partial Cover Lowered Alternative:** Under the Partial Cover Lowered Alternative, the alignment of the westbound 46<sup>th</sup> Avenue lanes will pass through the southwestern boundary of the historic district. This alternative will result in the acquisition of 2.02 acres from the historic district and demolition of nine (9) contributing properties. Because the demolition of these contributing resources would diminish the integrity of design, materials, and workmanship, and the ability of the district to convey significance under Criteria A and C, the Partial Cover Lowered Alternative would result in an **Adverse Effect** to the historic district.

#### **Notification of Section 4(f) De Minimis Determination**

The finding of *no adverse effect* outlined for the above resources, as well as those concurred on by SHPO via correspondence dated September 23, 2014, April 27, 2015, May 7, 2015, June 2, 2015, and June 15, 2015 under Section 106 reflects a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for those historic resources. A table depicting the Section 4(f) resources and their use determinations is included below, with resources subject to a *de minimis* use highlighted in **green** and a full use under Section 4(f) highlighted in **yellow**, which will result in individual Section 4(f) evaluations.

#### **Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Riverside Cemetery 5201 Brighton Boulevard (5AM125)	No Use	No Use	No Use	No Use	No Use
York Street/East 40th Avenue Brick Sanitary Sewer (5DV11283)	No Use	No Use	No Use	No Use	Use
Delgany Common Interceptor Sewer (5DV4725.5)	No Use	No Use	No Use	No Use	No Use
Burlington Ditch/ O'Brien Canal (5AM465.9)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Market Street RR/ Chicago Burlington & Quincy Railroad Segment (5AM1298.2)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Union Pacific Beltline RR Segment (5AM2083.1)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Burlington and Colorado/Chicago, Burlington, and Quincy Railroad Segment (5DV6247.3)	No Use	No Use	No Use	No Use	No Use
Union Pacific Railroad Segment (5DV6248.4)	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	Use
Rocky Mountain Arsenal Railroad Segment (5DV7048.2)	No Use	No Use	Use	Use	Use
Hovan/Plazola Residence 4673 Josephine Street (5DV1172)	No Use	No Use	No Use	No Use	No Use
Kosik Residence 4681–4683 Baldwin Court (5DV1247)	No Use	No Use	No Use	No Use	No Use



#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Miranda Residence 4632 Josephine Street (5DV5677)	No Use	No Use	No Use	No Use	No Use
Colonial Manor Tourist Court 2615 East 46th Avenue (5DV7130)	Use	No Use	Use	No Use	Use
Tri-R Recycling 3600 East 48th Avenue (5DV9227)	No Use	No Use	No Use	No Use	No Use
Univar 4300 Holly Street (5DV9231)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Safeway Distribution Center Historic District (5DV9232)	No Use	No Use	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>
Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue (5DV9245)	No Use	Use	No Use	Use	No Use
Sanchez Business 2381 East 46th Avenue (5DV9655)	Use	No Use	Use	No Use	Use
Stop-N-Shop Food Store 4600 York Street (5DV9801)	Use	No Use	Use	No Use	Use
Torres Residence 4656 Baldwin Court (5DV9660)	No Use	No Use	No Use	No Use	No Use
Brown and Alarid Residence 4637 Claude Court (5DV9667)	No Use	No Use	No Use	No Use	Use
Toth/Kelly Residence 4639 Claude Court (5DV9668)	No Use	No Use	No Use	No Use	Use
Rodriguez Residence 4539 Clayton Street (5DV9678)	No Use	No Use	No Use	Use	No Use
4541 Clayton LLC Residence 4541 Clayton Street (5DV9679)	No Use	No Use	No Use	Use	No Use
Castorena/Braswell Residence 4631 Columbine Street (5DV9705)	No Use	No Use	No Use	No Use	No Use



#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Pavon Residence 4633 Columbine Street (5DV9706)	No Use	No Use	No Use	No Use	No Use
Olive Street LLC Property 4503 Fillmore Street (5DV9714)	No Use	No Use	No Use	No Use	No Use
Rudy/Bernal Residence 4618 High Street (5DV9735)	Use	No Use	Use	Use	Use
Langenberg Residence 4502 Josephine Street (5DV9742)	No Use	No Use	No Use	No Use	No Use
Chavez Residence 4628 Josephine Street (5DV9748)	No Use	No Use	No Use	No Use	No Use
Waggoner Residence 4647 Josephine Street (5DV9751)	No Use	No Use	No Use	No Use	No Use
James Residence 4651 Josephine Street (5DV9753)	No Use	No Use	No Use	No Use	No Use
Krutzler/Barajas Residence 4681 Josephine Street (5DV9761)	No Use	No Use	No Use	No Use	No Use
Geo Trust/Araujo Residence 4682 Josephine Street (5DV9762)	No Use	No Use	No Use	No Use	No Use
Lovato Residence 4696 Josephine Street (5DV5623/5DV9765)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4617-4625 Race Street (5DV9780)	Use	No Use	Use	Use	Use
Kenworthy/Wyckoff Residence 4529 Josephine Street (5DV9745)	No Use	No Use	No Use	Use	No Use
Portales Residence 4608 Josephine Street (5DV9746)	Use	No Use	Use	No Use	Use
Portales Residence/ Windsor Artesian Water Company 4623-4625 Thompson Court (5DV9787)	No Use	No Use	No Use	No Use	No Use

**Section 4(f) properties and use determinations**

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Adams Clock LLC/Mann Residence 4645 Williams Street (5DV9795)	No Use	No Use	No Use	No Use	No Use
E.G. Trading Post 1630-1632 East 47th Avenue (5DV9805)	No Use	No Use	No Use	No Use	No Use
Miller Residence 4675 Williams Street (5DV9823)	No Use	No Use	No Use	No Use	No Use
Herzberg Property 4665-4669 Williams Street (5DV9828)	No Use	No Use	No Use	No Use	No Use
Yoshimura Residence 4450 Adams Street (5DV9966)	No Use	No Use	No Use	No Use	No Use
McGee Residence 4460 Adams Street (5DV9968)	No Use	No Use	No Use	No Use	No Use
General Motors Corporation-Goalie Construction Business 4715 Colorado Boulevard (5DV9988)	No Use	No Use	No Use	No Use	No Use
4800 Colorado LLC/United States Rubber Company. 4800 Colorado Boulevard (5DV9989)	No Use	No Use	No Use	No Use	No Use
Gonzales Residence 4515 Columbine Street (5DV9994)	No Use	No Use	No Use	No Use	No Use
Tomas/Eagan Residence 4653 Columbine Street (5DV9996)	No Use	No Use	No Use	No Use	No Use
Vasquez Residence 4450 Cook Street (5DV10003)	No Use	No Use	No Use	No Use	No Use
Guerca/Perez Residence 4446 Fillmore Street (5D10013)	No Use	No Use	No Use	No Use	No Use
Tenenbaum Residence 4453 Fillmore Street (5DV10014)	No Use	No Use	No Use	No Use	No Use

#### Section 4(f) properties and use determinations

Property Name and Address	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
Ponce Residence 4668 High Street (5DV10034)	No Use	No Use	No Use	No Use	No Use
Garcia Residence 4695 High Street (5DV10040)	No Use	No Use	No Use	No Use	No Use
Core Power Construction/Buckley JD Inc.-Buckley Explosives of Wyoming 4701 Jackson Street (5DV10047)	No Use	No Use	No Use	No Use	No Use
Huffman Residence 4707 Josephine Street (5DV10058)	No Use	No Use	No Use	No Use	No Use
Lopez/Hartzell Residence 4461 Milwaukee Street (5DV10065)	No Use	No Use	No Use	No Use	No Use
Allen Investment Group, Inc./ Kretschmar Residence 4662-4664 Williams Street (5DV10085)	No Use	No Use	No Use	No Use	No Use
Clay II LLC/Rosthan Residence 4459 Thompson Court (5DV10124)	No Use	No Use	No Use	No Use	No Use
Alfred R. Wessel Historic District (5DV10126)	Use	No Use	Use	Use	Use
Abrams/Loretta Residence 4679 Vine Street (5DV10135)	No Use	No Use	No Use	No Use	No Use
National Western Historic District (5DV10050)	No Use	No Use	No Use	No Use	<i>De minimis</i>
Banker's Warehouse Co. (5DV11720)	No Use	No Use	No Use	No Use	<i>De minimis</i>
High Line Canal (5AM261.2)	No Use	No Use	No Use	No Use	No Use
Globeville Historic District (5DV1961)	No Use	No Use	No Use	No Use	No Use
Garden Place Historic District (5DV1960)	No Use	No Use	No Use	No Use	No Use

We request your comments on the expanded APE, updated Determinations of Effects outlined above, and acknowledgement of the *de minimis* notifications. Should you elect to respond, please provide comments within thirty (30) days of receipt of these materials, as stipulated by Section 106 regulations. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

CC:

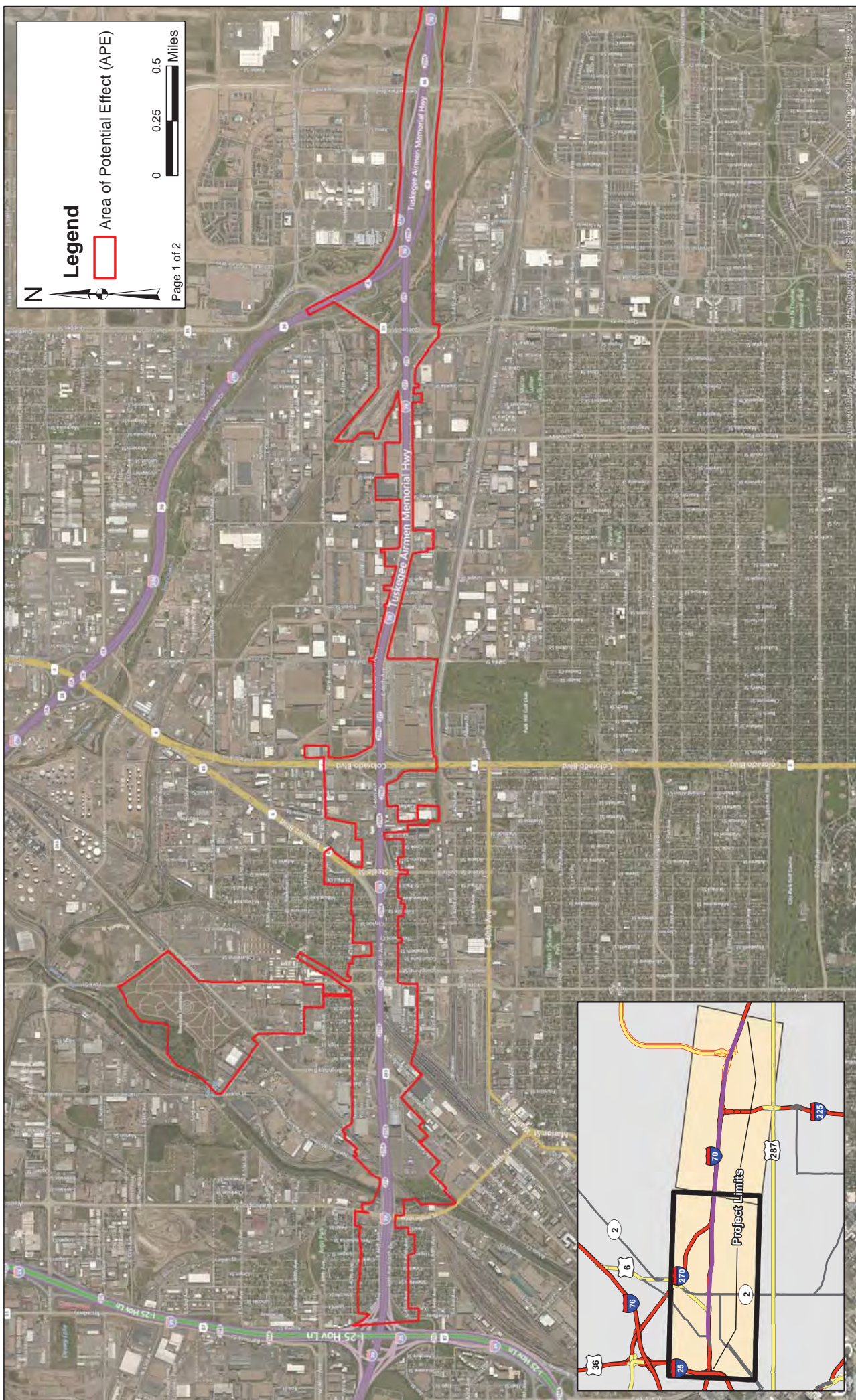
Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachments: APE Map

Attachment I- Appendix AL  
Updated APE September 2, 2015











Attachment I- Appendix AM  
Correspondence from SHPO to CDOT  
September 8, 2015







September 8, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: APE Update, Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70)  
East Corridor Final Environmental Impact Statement Reevaluation, Denver County and Adams  
County (CHS #41831)

Dear Mr. Attardo:

Thank you for your correspondence dated September 2, 2015 and received on September 3, 2015 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the revision for the proposed Area of Potential Effects (APE). After review of the provided information, we concur that the following resources are eligible for the National Register of Historic Places for the purposes of Section 106.

- |                         |  |                                   |
|-------------------------|--|-----------------------------------|
| • 4700 Fillmore Street  | • 4695 Milwaukee Street                | • 2000 E. 47 <sup>th</sup> Avenue |
| • 4690 Fillmore Street  |  | • 4684 Race Street                |
| • 4680 Fillmore Street  | • 1812/1917 E. 47 <sup>th</sup> Avenue | • 4691 Vine Street                |
| • 4675 Fillmore Street  |  | • 4688 Vine Street                |
| • 4685 Milwaukee Street | • 4690 High Street                     |                                   |
|                         | • 4678 High Street                     |                                   |
|                         | • 4681 Race Street                     |                                   |

After review of the revised scope of work, we concur with the recommended findings of effects under each alternative described in your report letter for resources:

- 5AM.465.9
- 5AM.1298
- 5DV.6248
- 5DV.7130
- 5DV.9231
- 5DV.9232
- 5DV.9655
- 5DV.9746
- 5DV.9801
- 5DV.10050
- 5DV.10126

We acknowledge that FHWA intends to make a *de minimis* determination in respect to the requirements of Section 4(f) for those resources in which effects determinations of *no adverse effect* [36 CFR 800.5(d)(1)] and *no historic properties affected* [36 CFR 800.4(d)(1)] are appropriate.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Jennifer Bryant, our Section 106 Compliance Manager, at (303) 866-2673.

Sincerely,



Edward C. Nichols  
State Historic Preservation Officer

Attachment I- Appendix AN  
Correspondence from CDOT to SHPO and  
Consulting Parties  
September 15, 2015





**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 15, 2015

Mr. Edward C. Nichols  
State Historic Preservation Officer  
History Colorado  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Modified Section 106 Determinations of Effect and Section 4(f) notifications,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Nichols:

This letter constitutes a request for concurrence with modified determinations of effect for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Due to tight internal timelines, we are requesting completion of your review of this submission by **Wednesday September 30, 2015**. This is a shorter time-frame than the typical 30-day consultation period, and your quick review is much appreciated.

In a correspondence dated September 2, 2015, CDOT communicated that approximately ninety (90) eligible historic properties located between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. That correspondence indicated that residents in the area would be provided with their choice of two (2) portable or window-mounted air conditioning units.

Additional discussions surrounding Environmental Justice mitigation have added to the scope of this mitigation activity to include the installation of interior storm windows in addition to the aforementioned air conditioning units. Storm windows are a reversible treatment option allowing the retention of historic materials while offering the functionality of double glazing. Interior installation minimizes the visual impact of the storm window, and installation causes minimal damage to historic fabric. Installation methods vary and may require limited hardware to accommodate installation.

A contractor and method of installation has yet to be determined, however the selected contractor will be required to identify an installation method that minimizes the hardware necessary for installation and therefore minimizes damage to historic material, including the jamb, frame, sash, sill, and extant glazing to ensure reversibility of the unit. The contractor will be required to minimize the visual impact of the storm window units. Because the installation of interior storm window units retains historic fabric, is reversible, and does not alter or diminish significant architectural features, the work will result in a determination of *no adverse effect* to eligible historic properties in the mitigation area.

**Section 4(f):** The work described above may result in an application of Section 4(f) exception 23 CFR 774.13(d) by the Federal Highway Administration (FHWA). Exception 23 CFR 774.13(d) is applicable to



temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f), based on the following conditions: duration of the work must be temporary; scope of the work must be minor in nature and the magnitude of the changes to the Section 4(f) property; there may be no anticipated permanent adverse physical impacts or interference with the protected activities, features, or attributes of the property; and the property must be returned to a condition which is at least as good as that which existed prior to the project. As the Official with Jurisdiction over historic Section 4(f) properties, written agreement is needed from your office acknowledging that the work described meets these conditions.

We request your concurrence with the effect determinations and application of Section 4(f) exception 23 CFR 774.13(d) outlined above. If you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



 Charles Attardo  
Region 1 Planning and Environmental Manager



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 15, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

**SUBJECT:** Modified Section 106 Determinations of Effect and Section 4(f) notifications,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Eflin:

This letter constitutes a request for concurrence with modified determinations of effect for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Due to tight internal timelines, we are requesting completion of your review of this submission by **Wednesday September 30, 2015**. This is a shorter time-frame than the typical 30-day consultation period, and your quick review is much appreciated. Should your office elect *not* to submit comments, please notify Region 1 Senior Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

In a correspondence dated September 2, 2015, CDOT communicated that approximately ninety (90) eligible historic properties located between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. That correspondence indicated that residents in the area would be provided with their choice of two (2) portable or window-mounted air conditioning units.

Additional discussions surrounding Environmental Justice mitigation have added to the scope of this mitigation activity to include the installation of interior storm windows in addition to the aforementioned air conditioning units. Storm windows are a reversible treatment option allowing the retention of historic materials while offering the functionality of double glazing. Interior installation minimizes the visual impact of the storm window, and installation causes minimal damage to historic fabric. Installation methods vary and may require limited hardware to accommodate installation.

A contractor and method of installation has yet to be determined, however the selected contractor will be required to identify an installation method that minimizes the hardware necessary for installation and therefore minimizes damage to historic material, including the jamb, frame, sash, sill, and extant glazing to ensure reversibility of the unit. The contractor will be required to minimize the visual impact of the storm window units. Because the installation of interior storm window units retains historic fabric, is reversible, and does not alter or diminish significant architectural features, the work will result in a determination of *no adverse effect* to eligible historic properties in the mitigation area.

**Section 4(f):** The work described above may result in an application of Section 4(f) exception 23 CFR 774.13(d) by the Federal Highway Administration (FHWA). Exception 23 CFR 774.13(d) is applicable to temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f), based on the following conditions: duration of the work must be temporary; scope of the work must be minor in nature and the magnitude of the changes to the Section 4(f) property; there may be no anticipated permanent adverse physical impacts or interference with the protected activities, features, or attributes of the property; and the property must be returned to a condition which is at least as good as that which existed prior to the project.

We request your comments on the effect determinations and application of Section 4(f) exception 23 CFR 774.13(d) outlined above. If you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



✓, ✓ Charles Attardo  
Region 1 Planning and Environmental Manager



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 15, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Modified Section 106 Determinations of Effect and Section 4(f) notifications, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter constitutes a request for concurrence with modified determinations of effect for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Due to tight internal timelines, we are requesting completion of your review of this submission by **Wednesday September 30, 2015**. This is a shorter time-frame than the typical 30-day consultation period, and your quick review is much appreciated. Should your office elect *not* to submit comments, please notify Region 1 Senior Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

In a correspondence dated September 2, 2015, CDOT communicated that approximately ninety (90) eligible historic properties located between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. That correspondence indicated that residents in the area would be provided with their choice of two (2) portable or window-mounted air conditioning units.

Additional discussions surrounding Environmental Justice mitigation have added to the scope of this mitigation activity to include the installation of interior storm windows in addition to the aforementioned air conditioning units. Storm windows are a reversible treatment option allowing the retention of historic materials while offering the functionality of double glazing. Interior installation minimizes the visual impact of the storm window, and installation causes minimal damage to historic fabric. Installation methods vary and may require limited hardware to accommodate installation.

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We request your comments on the effect determinations and application of Section 4(f) exception 23 CFR 774.13(d) outlined above. If you have questions or require additional information to complete your review, please contact Region I Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region I Planning and Environmental Manager





## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 15, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Modified Section 106 Determinations of Effect and Section 4(f) notifications, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Briggs:

This letter constitutes a request for concurrence with modified determinations of effect for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Due to tight internal timelines, we are requesting completion of your review of this submission by **Wednesday September 30, 2015**. This is a shorter time-frame than the typical 30-day consultation period, and your quick review is much appreciated. Should your office elect *not* to submit comments, please notify Region 1 Senior Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

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temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f), based on the following conditions: duration of the work must be temporary; scope of the work must be minor in nature and the magnitude of the changes to the Section 4(f) property; there may be no anticipated permanent adverse physical impacts or interference with the protected activities, features, or attributes of the property; and the property must be returned to a condition which is at least as good as that which existed prior to the project.

We request your comments on the effect determinations and application of Section 4(f) exception 23 CFR 774.13(d) outlined above. If you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager



**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 15, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** Modified Section 106 Determinations of Effect and Section 4(f) notifications,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Olson:

This letter constitutes a request for concurrence with modified determinations of effect for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Due to tight internal timelines, we are requesting completion of your review of this submission by **Wednesday September 30, 2015**. This is a shorter time-frame than the typical 30-day consultation period, and your quick review is much appreciated. Should your office elect *not* to submit comments, please notify Region 1 Senior Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

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We request your comments on the effect determinations and application of Section 4(f) exception 23 CFR 774.13(d) outlined above. If you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager



**COLORADO**

**Department of Transportation**

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

September 15, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

**SUBJECT:** Modified Section 106 Determinations of Effect and Section 4(f) notifications,  
Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-  
evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Gause:

This letter constitutes a request for concurrence with modified determinations of effect for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Due to tight internal timelines, we are requesting completion of your review of this submission by **Wednesday September 30, 2015**. This is a shorter time-frame than the typical 30-day consultation period, and your quick review is much appreciated. Should your office elect *not* to submit comments, please notify Region 1 Senior Historian Ashley L. Bushey at 303.757.9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

In a correspondence dated September 2, 2015, CDOT communicated that approximately ninety (90) eligible historic properties located between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north are subject to Environment Justice mitigation against noise and dust impacts created by construction activities. That correspondence indicated that residents in the area would be provided with their choice of two (2) portable or window-mounted air conditioning units.

Additional discussions surrounding Environmental Justice mitigation have added to the scope of this mitigation activity to include the installation of interior storm windows in addition to the aforementioned air conditioning units. Storm windows are a reversible treatment option allowing the retention of historic materials while offering the functionality of double glazing. Interior installation minimizes the visual impact of the storm window, and installation causes minimal damage to historic fabric. Installation methods vary and may require limited hardware to accommodate installation.

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**Section 4(f):** The work described above may result in an application of Section 4(f) exception 23 CFR 774.13(d) by the Federal Highway Administration (FHWA). Exception 23 CFR 774.13(d) is applicable to temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f), based on the following conditions: duration of the work must be temporary; scope of the work must be minor in nature and the magnitude of the changes to the Section 4(f) property; there may be no anticipated permanent adverse physical impacts or interference with the protected activities, features, or attributes of the property; and the property must be returned to a condition which is at least as good as that which existed prior to the project.

We request your comments on the effect determinations and application of Section 4(f) exception 23 CFR 774.13(d) outlined above. If you have questions or require additional information to complete your review, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



*for* Charles Attardo  
Region 1 Planning and Environmental Manager

Attachment I- AO  
Correspondence from SHPO to CDOT  
September 15, 2015





September 15, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Modified Section 106 Determinations of Effect and Section 4(f) notifications, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Reevaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your additional correspondence dated and received by email on September 15, 2015 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the provided scope of work related to the proposed Environmental Justice mitigation and assessment of adverse effect, we concur with the finding of *no adverse effect* [36 CFR 800.5(d)(1)] under Section 106 for the addition of portable or window mounted air conditioning units and the installation of interior storm windows provided CDOT sends the final method of installation for the interior storm windows to our office for review and comment prior to installation.

We acknowledge that FHWA intends to apply exception 23 CFR 774.13(d) in respect to the requirements of Section 4(f).

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Jennifer Bryant, our Section 106 Compliance Manager, at (303) 866-2673.

Sincerely,



Edward C. Nichols  
State Historic Preservation Officer





Attachment I- Appendix AP  
Correspondence from Consulting Parties  
Regarding September 15, 2015 Submittal





STATE OF  
COLORADO

Bushey - CDOT, Ashley <ashley.bushey@state.co.us>

---

## RE: CDOT I70E Modified Effects Consultation

1 message

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Roxanne Eflin <reflin@coloradopreservation.org>

Tue, Sep 15, 2015 at 12:20 PM

To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Colorado Preservation, Inc., is in concurrence with CDOT's determination of no adverse effect for this project.

Roxanne Eflin

Executive Director

Colorado Preservation, Inc.

1420 Ogden St., Suite 104

Denver, CO 80218

303.893.4260, x222 - office

207.229.9465 - mobile

Become a sustaining donor today.



Colorado Preservation, Inc.  
BUILDING A FUTURE *with* HISTORIC PLACES

Help support the initiative to bring a Historic Preservation License Plate to Colorado!

**From:** Bushey - CDOT, Ashley [mailto:[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)]

**Sent:** Tuesday, September 15, 2015 12:07 PM

**To:** Roxanne Eflin <[reflin@coloradopreservation.org](mailto:reflin@coloradopreservation.org)>

**Subject:** CDOT I70E Modified Effects Consultation

Ms. Eflin:

Please find enclosed a consultation letter reflecting modified determinations of Section 106 effect for historic properties subject to Environmental Justice mitigation between Brighton Boulevard to the west, Colorado Boulevard to the east, E. 45<sup>th</sup> Avenue to the south, and E. 47<sup>th</sup> Avenue on the north. In a letter dated September 2, 2015, CDOT indicated these properties would receive two (2) air conditioning units, either portable interior units or window-mounted units. Further discussion has indicated the addition of interior storm windows, as reflected in the attached correspondence.

Due to tight internal timelines, this submission is communicated in electronic mail. A hard copy will follow by mail. Due to the tight timeline, we are requesting your review by Wednesday September 30, 2015. Should your office elect not to comment, please indicate this intent via a reply to this email. Should you have questions or require additional information, please feel free to contact me.

Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental



P 303.757.9397 | F 303.757.9036

2000 South Holly Street, Second Floor Denver, CO 80222

[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) | [www.coloradodot.info](http://www.coloradodot.info) | [www.cotrip.org](http://www.cotrip.org)

<https://www.codot.gov/>

Attachment I- Appendix AQ  
Correspondence from CDOT to SHPO and  
Consulting Parties, October 9, 2015  
Submittal







**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 9, 2015

Mr. Steve Turner  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70)  
East Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Turner:

This letter and attached materials constitute a request for concurrence on a modified determination of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS) and an acknowledgement of a Section 4(f) *de minimis* notification. Based on tight internal deadlines, we are requesting an expedited review of this submission by **Monday October 19, 2015**.

**Updated Effects**

Each project alternative will require a drainage easement on the north side of I-70 to accommodate a storm drain. The storm drain will be conveyed beneath Franklin Street to access the South Platte River, crossing under a portion of the north-west corner of the National Western Historic District (5DV10050), as reflected in Figure 1. The storm drain will be directional bore drilled beneath Franklin Street and the National Western Historic District property; no surface work or disturbance will occur. The work does require a surface easement of 43,787 square feet (1.005 acres) to accommodate the work and future maintenance of the storm drain. Because the work involves no surface activities or disturbances, and will not alter or diminish the



Figure 1: Graphic of Storm Drain (blue) and location within the resource boundary of 5DV10050 (purple)

characteristics of the resource qualifying it for inclusion on the National Register of Historic Places, the work will result in a determination of *no adverse effect* for each of the project alternatives.

The tables below reflect the previous determinations (Figure 2) consulted with and concurred upon by your office, and updated determinations (Figure 3) for which we are requesting concurrence under this submission.

#### **Section 4(f) *de minimis* Notifications**

The updated findings of *no adverse effect* under Section 106 reflect a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements, highlighted in **green** in Figure 3.

**Figure 2: Previous Determinations, National Western Historic District (5DV10050)**

	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
<b>Section 106 Determination</b>	No Historic Properties Affected	No Historic Properties Affected	No Adverse Effect	No Adverse Effect	No Adverse Effect
<b>Section 4(f) Finding</b>	No Use	No Use	No Use	No Use	<i>De minimis</i>

**Figure 3: Updated Determinations, National Western Historic District (5DV10050)**

	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
<b>Section 106 Determination</b>	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
<b>Section 4(f) Finding</b>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>

We request your concurrence with the updated Determinations of Effect outlined above, and acknowledgement of the *de minimis* notifications. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



**Charles Attardo**  
Region 1 Planning and Environmental Manager

CC:  
Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 9, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70)  
East Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Briggs:

This letter and attached materials constitute a request for comments on a modified determination of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Based on tight internal deadlines, we are requesting an expedited review of this submission by **Monday October 19, 2015**.

**Updated Effects**

Each project alternative will require a drainage easement on the north side of I-70 to accommodate a storm drain. The storm drain will be conveyed beneath Franklin Street to access the South Platte River, crossing under a portion of the north-west corner of the National Western Historic District (5DV10050), as reflected in Figure 1. The storm drain will be directional bore drilled beneath Franklin Street and the National Western Historic District property; no surface work or disturbance will occur. The work does require a surface easement of 43,787 square feet (1.005 acres) to accommodate the work and future maintenance of the storm drain. Because the work involves no surface activities or disturbances, and will not alter or diminish the



Figure 1: Graphic of Storm Drain (blue) and location within the resource boundary of 5DV10050 (purple)

characteristics of the resource qualifying it for inclusion on the National Register of Historic Places, the work will result in a determination of *no adverse effect* for each of the project alternatives.

The tables below reflect the previous determinations (Figure 2) consulted with and concurred upon by your office, and updated determinations (Figure 3) for which we are requesting concurrence under this submission.



#### Section 4(f) *de minimis* Notifications

The updated findings of *no adverse effect* under Section 106 reflect a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements, highlighted in **green** in Figure 3.

*Figure 2: Previous Determinations, National Western Historic District (5DV10050)*

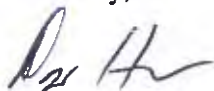
	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
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We request your comments with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



*for* Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)





**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 9, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70)  
East Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Ms. Carmody:

This letter and attached materials constitute a request for comments on a modified determination of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Based on tight internal deadlines, we are requesting an expedited review of this submission by **Monday October 19, 2015**.

**Updated Effects**

Each project alternative will require a drainage easement on the north side of I-70 to accommodate a storm drain. The storm drain will be conveyed beneath Franklin Street to access the South Platte River, crossing under a portion of the north-west corner of the National Western Historic District (5DV10050), as reflected in Figure 1. The storm drain will be directional bore drilled beneath Franklin Street and the National Western Historic District property; no surface work or disturbance will occur. The work does require a surface easement of 43,787 square feet (1.005 acres) to accommodate the work and future maintenance of the storm drain. Because the work involves no surface activities or disturbances, and will not alter or diminish the

characteristics of the resource qualifying it for inclusion on the National Register of Historic Places, the work will result in a determination of *no adverse effect* for each of the project alternatives.



Figure 1: Graphic of Storm Drain (blue) and location within the resource boundary of 5DV10050 (purple)

The tables below reflect the previous determinations (Figure 2) consulted with and concurred upon by your office, and updated determinations (Figure 3) for which we are requesting concurrence under this submission.

#### **Section 4(f) *de minimis* Notifications**

The updated findings of *no adverse effect* under Section 106 reflect a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements, highlighted in **green** in Figure 3.

**Figure 2: Previous Determinations, National Western Historic District (5DV10050)**

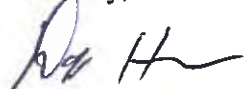
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	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
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<b>Section 4(f) Finding</b>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>

We request your comments with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



**Charles Attardo**  
Region 1 Planning and Environmental Manager

CC:  
Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 9, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

**SUBJECT:** Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70)  
East Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Ms. Eflin:

This letter and attached materials constitute a request for comments on a modified determination of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Based on tight internal deadlines, we are requesting an expedited review of this submission by **Monday October 19, 2015**.

### Updated Effects

Each project alternative will require a drainage easement on the north side of I-70 to accommodate a storm drain. The storm drain will be conveyed beneath Franklin Street to access the South Platte River, crossing under a portion of the north-west corner of the National Western Historic District (5DV10050), as reflected in Figure 1. The storm drain will be directional bore drilled beneath Franklin Street and the National Western Historic District property; no surface work or disturbance will occur. The work does require a surface easement of 43,787 square feet (1.005 acres) to accommodate the work and future maintenance of the storm drain. Because the work involves no surface activities or disturbances, and will not alter or diminish the

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**Figure 2: Previous Determinations, National Western Historic District (5DV10050)**

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	North Option	South Option	North Option	South Option	
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**Figure 3: Updated Determinations, National Western Historic District (5DV10050)**

	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
<b>Section 106 Determination</b>	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
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We request your comments with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



**Charles Attardo**  
Region 1 Planning and Environmental Manager

CC:  
Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



**COLORADO**  
Department of Transportation  
Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 9, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70)  
East Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Olson:

This letter and attached materials constitute a request for comments on a modified determination of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Based on tight internal deadlines, we are requesting an expedited review of this submission by **Monday October 19, 2015**.

**Updated Effects**

Each project alternative will require a drainage easement on the north side of I-70 to accommodate a storm drain. The storm drain will be conveyed beneath Franklin Street to access the South Platte River, crossing under a portion of the north-west corner of the National Western Historic District (5DV10050), as reflected in Figure 1. The storm drain will be directional bore drilled beneath Franklin Street and the National Western Historic District property; no surface work or disturbance will occur. The work does require a surface easement of 43,787 square feet (1.005 acres) to accommodate the work and future maintenance of the storm drain. Because the work involves no surface activities or disturbances, and will not alter or diminish the

characteristics of the resource qualifying it for inclusion on the National Register of Historic Places, the work will result in a determination of *no adverse effect* for each of the project alternatives.



Figure 1: Graphic of Storm Drain (blue) and location within the resource boundary of 5DV10050 (purple)

The tables below reflect the previous determinations (Figure 2) consulted with and concurred upon by your office, and updated determinations (Figure 3) for which we are requesting concurrence under this submission.



#### **Section 4(f) *de minimis* Notifications**

The updated findings of *no adverse effect* under Section 106 reflect a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements, highlighted in **green** in Figure 3.

**Figure 2: Previous Determinations, National Western Historic District (5DV10050)**

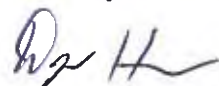
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<b>Section 4(f) Finding</b>	No Use	No Use	No Use	No Use	<i>De minimis</i>

**Figure 3: Updated Determinations, National Western Historic District (5DV10050)**

	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
<b>Section 106 Determination</b>	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
<b>Section 4(f) Finding</b>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>

We request your comments with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



**Charles Attardo**  
Region 1 Planning and Environmental Manager

CC:  
Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 9, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

**SUBJECT:** Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70)  
East Corridor Final Environmental Impact Statement Re-evaluation, Denver County  
and Adams County (CHS #41831)

Dear Mr. Gause:

This letter and attached materials constitute a request for comments on a modified determination of effects for the Interstate 70 (I-70) East Corridor Final Environmental Impact Statement (FEIS). Based on tight internal deadlines, we are requesting an expedited review of this submission by **Monday October 19, 2015**.

### Updated Effects

Each project alternative will require a drainage easement on the north side of I-70 to accommodate a storm drain. The storm drain will be conveyed beneath Franklin Street to access the South Platte River, crossing under a portion of the north-west corner of the National Western Historic District (SDV10050), as reflected in Figure 1. The storm drain will be directional bore drilled beneath Franklin Street and the National Western Historic District property; no surface work or disturbance will occur. The work does require a surface easement of 43,787 square feet (1.005 acres) to accommodate the work and future maintenance of the storm drain. Because the work involves no surface activities or disturbances, and will not alter or diminish the



Figure 1: Graphic of Storm Drain (blue) and location within the resource boundary of SDV10050 (purple)

characteristics of the resource qualifying it for inclusion on the National Register of Historic Places, the work will result in a determination of *no adverse effect* for each of the project alternatives.

The tables below reflect the previous determinations (Figure 2) consulted with and concurred upon by your office, and updated determinations (Figure 3) for which we are requesting concurrence under this submission.

### Section 4(f) *de minimis* Notifications

The updated findings of *no adverse effect* under Section 106 reflect a conclusion that for the Section 4(f) historic site affected by the project, those effects will not “alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association” as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements, highlighted in green in Figure 3.

Figure 2: Previous Determinations, National Western Historic District (SDV10050)

	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
<b>Section 106 Determination</b>	No Historic Properties Affected	No Historic Properties Affected	No Adverse Effect	No Adverse Effect	No Adverse Effect
<b>Section 4(f) Finding</b>	No Use	No Use	No Use	No Use	<i>De minimis</i>

Figure 3: Updated Determinations, National Western Historic District (SDV10050)

	No-Action Alternative		Revised Viaduct Alternative		Partial Cover Lowered Alternative (Preferred Alternative)
	North Option	South Option	North Option	South Option	
<b>Section 106 Determination</b>	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
<b>Section 4(f) Finding</b>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>	<i>De minimis</i>

We request your comments with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



for Charles Attardo  
Region 1 Planning and Environmental Manager

CC:  
Ashley L. Bushey, CDOT Region 1 Senior Historian  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachment I- Appendix AR  
Correspondence from SHPO to CDOT  
October 13, 2015







October 13, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: Updated Effect Determinations and *De Minimis* Notification, Interstate 70 (I-70) East Corridor  
Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS  
#41831)

Dear Mr. Attardo:

Thank you for your additional correspondence dated and received by on October 9, 2015 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the additional information concerning the requirement to add a storm drain under the north-west corner of the National Western Historic District (5DV.10050), we concur with the finding of *no adverse effect* [36 CFR 800.5(d)(1)] under Section 106 for the proposed undertaking.


We acknowledge that FHWA intends to make a *de minimis* determination in respect to the requirements of Section 4(f).

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Jennifer Bryant, our Section 106 Compliance Manager, at (303) 866-2673.

Sincerely,

  
Steve Turner, AIA  
State Historic Preservation Officer



Attachment I- Appendix AS  
Correspondence from Consulting Parties  
Regarding October 9, 2015 Submittal





Bushey - CDOT, Ashley <ashley.bushey@state.co.us>

## Updated DeMinimis CHS #41831

1 message

Gause, George - Community Planning and Development <George.Gause@denvergov.org>

To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Thu, Oct 15, 2015 at 1:43 PM

Ashley, CCD has no comment concerning the modified determination.

George Gause | Senior City Planner-Landmark Preservation  
Community Planning & Development | Planning Services



City and County of Denver

[720.865.2929](tel:720.865.2929) | [george.gause@denvergov.org](mailto:george.gause@denvergov.org)

[DenverGov.org/CPD](http://DenverGov.org/CPD) | @DenverCPD | Take our Survey

The Landmark Preservation Commission (LPC) filing deadline increases to four (4) weeks prior to each meeting in 2015.

Comments and correspondence concerning proposals or applications are based on information received by the requestor and a comparison of that information and the Secretary of the Interior's Standards, Design Guidelines for Landmark Structures and Districts, Landmark Preservation Ordinance, Chapter 30 Revised Municipal Code and other applicable adopted guidelines. Staff is providing these comments for informal informational purposes only. These comments do not replace the formal design review process. More specific answers to a proposal can only be given after full review of the required documentation is accomplished. Landmark staff is not responsible for building or zoning review. Please submit plans to those agencies for comment.

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STATE OF  
COLORADO

Bushey - CDOT, Ashley <ashley.bushey@state.co.us>

---

## RE: I70E Updated 106 Effects

1 message

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Roxanne Eflin <reflin@coloradopreservation.org>

To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Wed, Oct 14, 2015 at 2:13 PM

We are in concurrence with CDOT's finding of no adverse effect.

Roxanne Eflin

Executive Director

Colorado Preservation, Inc.

1420 Ogden St., Suite 104

Denver, CO 80218

303.893.4260, x222 - office

207.229.9465 - mobile

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Help support the initiative to bring a Historic Preservation License Plate to Colorado!

**From:** Bushey - CDOT, Ashley [mailto:[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)]  
**Sent:** Friday, October 09, 2015 1:33 PM  
**To:** Roxanne Eflin <[reflin@coloradopreservation.org](mailto:reflin@coloradopreservation.org)>  
**Subject:** I70E Updated 106 Effects

Ms. Eflin:

Please find enclosed a consultation letter reflecting modified determinations of Section 106 effect for the National Western Historic District (5DV10050) resulting from a re-designed storm water drainage. The work will involve a surface easement to accommodate sub-surface work: no surface work is needed to accommodate the work.

Due to tight internal timelines, this submission is communicated in electronic mail. A hard copy will follow by mail. Due to the tight timeline, we are requesting your review by Monday October 19, 2015. Please feel free to submit comments by reply to this email. Should your office elect not to comment, please indicate this intent via a reply to this email. Should you have questions or require additional information, please feel free to contact me.

Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental



P 303.757.9397 | F 303.757.9036

2000 South Holly Street, Second Floor Denver, CO 80222

October 16, 2015

*VIA E-MAIL*

Ms. Ashley Bushey  
Region 1 Planning and Environmental  
Senior Historian  
Colorado Department of Transportation  
2000 South Holly Street  
Denver, CO 80247  
[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)

Re: Response to Draft Section 106 Programmatic Agreement for I-70 East Corridor  
Expansion

Dear Ms. Bushey:

As you know, this firm represents Fairmount Cemetery ("Fairmont"); the owner of Riverside Cemetery ("Riverside"), and a Consulting Party. We are in receipt of your correspondence dated October 4th, 2015, regarding the Draft Section 106 Programmatic Agreement for the I-70 East Corridor expansion project. We have reviewed the correspondence and at this time we reserve all rights (if any) to comment and object at a later date. You should be advised that under separate cover, we will be responding to a letter from Charles Attardo dated October 9, 2015, addressing certain updated effects of the I-70 corridor storm drain modifications. Briefly, Fairmount has renewed concerns about the I-70 storm drain outflow project and its effects on the historic resources within the cemetery, including those resources listed on the National Register of Historic Places.

As you know, RTD and BNSF are concurrently expanding their respective rail systems at the edge of Brighton Boulevard. The rail expansion will effectively bar access to the present entrance to Riverside, and all parties have been seeking a resolution of this matter. To mitigate the effect of the rail expansion, Fairmount may seek to create a new access. Conceivably, such access might cross CDOT's storm drain outflow. CDOT should coordinate with all parties to ensure that any rights secured by CDOT (and the physical facilities themselves) would not compromise the attempted mitigation of access issues. Without that coordination, RTD and CDOT projects may effectively seal off access to the Riverside property.

Ms. Ashley Bushey  
Region 1 Planning and Environmental Senior Historian  
Colorado Department of Transportation  
October 16, 2015  
Page 2

To the extent that the CDOT storm drain outflow project has adverse effects on historic resources at Riverside, including access to the cemetery, please consider this letter an expression of Fairmount's concerns and a request for further consultation. We would very much like to work with you to resolve this issue and are requesting a meeting under 23 CFR 774.5(b)(1)(i) and 36 CFR 800.5(2)(i).

Thank you for your time and consideration of our interests.

Sincerely,

Moye White LLP



Dominick Sekich



October 19, 2015

Mr. Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation  
2000 South Holly Street  
Denver, CO 80247

Re: Concerns With Drainage Easement for I-70 East Corridor Expansion

Dear Mr. Attardo:

As you know, this firm represents Fairmount Cemetery, the owner of Riverside Cemetery, and a Consulting Party. We are in receipt of your letter dated October 9<sup>th</sup>, 2015 regarding the Updated Effect Determinations and De Minimis Notification for the I-70 East Corridor expansion project's drainage easement. We are concerned with CDOT's De Minimis and No Adverse Effect findings and we would like to request a meeting to voice our concerns pursuant to 23 CFR 774.5(b)(1)(i) and 36 CFR 800.5(2)(i).

As you know, RTD and BNSF are concurrently expanding their respective rail systems at the edge of Brighton Boulevard. The rail expansion will effectively bar access to the present entrance to Riverside Cemetery, and all parties have been seeking a resolution of this matter. To mitigate the effect of the rail expansion, the parties may seek to create a new access. Conceivably, such access might cross CDOT's storm drain outflow. We think it is advisable that CDOT coordinate with Fairmount, RTD, the City of Denver and BNSF to ensure that any rights secured by CDOT (and the physical facilities themselves) would not compromise the attempted mitigation.

As you are aware, a 4(f) De Minimis finding, pursuant to 23 CFR 774.17(5)(1) requires that a project be determined to have "no adverse effect." Under 36 CFR 800.5 (a)(1) "an adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. . . . Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative." The cumulative impact of the proposed RTD and CDOT projects may cut off access to Riverside Cemetery's historic property. We are concerned with this possibility.

To the extent that the CDOT storm drain outflow project has adverse effects on historic resources at Riverside Cemetery, including access to the cemetery, please consider this letter an expression of Fairmount's concerns and a request for further consultation. We



October 19, 2015

Page 2

would very much like to work with you to resolve this issue and are requesting a meeting under 23 CFR 774.5(b)(1)(i) and 36 CFR 800.5(2)(i).

Thank you for your time and consideration of our interests.

Sincerely,

Moye White LLP

A handwritten signature in blue ink, appearing to read "Dom Sekich". The signature is fluid and cursive, with a large loop at the beginning and a trailing flourish at the end.

Dominick Sekich

HMD



Attachment I- Appendix AT  
Correspondence from CDOT to SHPO  
and Consulting Parties, October 23, 2015  
Submittal





## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 23, 2015

Mr. Steve Turner, A.I.A.  
State Historic Preservation Officer  
History Colorado  
1200 Broadway  
Denver, CO 80203

**SUBJECT:** APE Modification and Updated Effect Determinations, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Turner,

In correspondence dated October 9, 2015, we communicated a change in drainage configuration accessing the South Platte River via a sub-surface pipe beneath the north-western corner of the National Western Stock Show Historic District (5DV10050). Your office concurred with the determination of *no adverse effect* for that work relative to resource 5DV10050. The initial configuration for the drainage outfall connected to the Burlington Ditch/O'Brien Canal (5AM465). The newly identified configuration, reflected in the correspondence of October 9, 2015, ties into the South Platte River south of the Canal; leaving resource 5AM465 unaffected by the project. Additional details are reflected below.

**Area of Potential Effect Update:** The Area of Potential Effect (APE), as previously defined, ran north of Race Court from Brighton Boulevard to the South Platte River to accommodate effects associated with the drainage and outfall planned in this area. Because the drainage is now planned to access the South Platte by crossing under Race Court and Franklin Street within the boundary of the National Western Stock Show (5DV10050), the APE line has been adjusted to include the north-western corner of that resource to account for the sub-surface drainage work. Please refer to the attached APE graphic for additional detail.

### Eligibility

**Burlington Ditch/O'Brien Canal (5AM465):** The entire Burlington Ditch/O'Brien Canal was determined *officially eligible* for inclusion in the NHRP in 1988. The resource is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment (5AM465.9), thirteen (13) crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. These alterations impact a small portion of the ditch and the recorded segment retains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the development and expansion of irrigation works in northeast Colorado.

### Effects Update

**Burlington Ditch/O'Brien Canal (5AM465):** The project initially included a stormwater outfall structure accessing the South Platte River via the subject ditch structure. The proposed action was part of each project alternative: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). This work resulted in a determination of *no*



*adverse effect* to resource 5AM465, including segment 5AM465.9. Concurrence on this determination was offered by Colorado SHPO by a letter dated April 27, 2015.

Further design work has resulted in a re-design stormwater outfall access to the South Platte, routing the outfall south of Race Court and under Franklin Street through the north-western corner of the National Western Stock Show (5DV10050). All work within the boundary of resource 5DV10050 will be sub-surface, and was consulted on with your office by a letter dated October 9, 2015. Moving the proposed outfall access south of Franklin Street avoids the Burlington Ditch/O'Brien Canal. Diversion structures and the headgate associated with the ditch are located north of Franklin Street. Please refer to the enclosed outfall graphic for additional details. This work is proposed under all project alternatives: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). Because the work results in avoidance of the ditch structure, the work will result in a determination of *no historic properties affected* under each project alternative with regard to resource 5AM465.

We request your comments on the modified Area of Potential Effect and concurrence with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



*for* Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
APE Graphic for Modified Area  
Stormwater Outfall Graphic

CC:  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 23, 2015

Mr. George Gause  
Denver Planning Services  
Denver Landmark Preservation Commission  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

**SUBJECT:** APE Modification and Updated Effect Determinations, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Gause,

In correspondence dated October 9, 2015, we communicated a change in drainage configuration accessing the South Platte River via a sub-surface pipe beneath the north-western corner of the National Western Stock Show Historic District (5DV10050). The Colorado State Historic Preservation Office (SHPO) concurred with the determination of *no adverse effect* for that work relative to resource 5DV10050. The initial configuration for the drainage outfall connected to the Burlington Ditch/O'Brien Canal (5AM465). The newly identified configuration, reflected in the correspondence of October 9, 2015, ties into the South Platte River south of the Canal; leaving resource 5AM465 unaffected by the project. Additional details are reflected below.

**Area of Potential Effect Update:** The Area of Potential Effect (APE), as previously defined, ran north of Race Court from Brighton Boulevard to the South Platte River to accommodate effects associated with the drainage and outfall planned in this area. Because the drainage is now planned to access the South Platte by crossing under Race Court and Franklin Street within the boundary of the National Western Stock Show (5DV10050), the APE line has been adjusted to include the north-western corner of that resource to account for the sub-surface drainage work. Please refer to the attached APE graphic for additional detail.

### Eligibility

**Burlington Ditch/O'Brien Canal (5AM465):** The entire Burlington Ditch/O'Brien Canal was determined *officially eligible* for inclusion in the NHRP in 1988. The resource is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment (5AM465.9), thirteen (13) crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. These alterations impact a small portion of the ditch and the recorded segment retains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the development and expansion of irrigation works in northeast Colorado.

### Effects Update

**Burlington Ditch/O'Brien Canal (5AM465):** The project initially included a stormwater outfall structure accessing the South Platte River via the subject ditch structure. The proposed action was part of each project alternative: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option),

and Partial Cover Lowered (Basic and Modified Options). This work resulted in a determination of *no adverse effect* to resource 5AM465, including segment 5AM465.9. Concurrence on this determination was offered by Colorado SHPO by a letter dated April 27, 2015.

Further design work has resulted in a re-design stormwater outfall access to the South Platte, routing the outfall south of Race Court and under Franklin Street through the north-western corner of the National Western Stock Show (SDV10050). All work within the boundary of resource SDV10050 will be sub-surface, and was consulted on with your office by a letter dated October 9, 2015. Moving the proposed outfall access south of Franklin Street avoids the Burlington Ditch/O'Brien Canal. Diversion structures and the headgate associated with the ditch are located north of Franklin Street. Please refer to the enclosed outfall graphic for additional details. This work is proposed under all project alternatives: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). Because the work results in avoidance of the ditch structure, the work will result in a determination of *no historic properties affected* under each project alternative with regard to resource 5AM465.

We request your comments on the modified Area of Potential Effect and with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



 Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures  
APE Graphic for Modified Area  
Stormwater Outfall Graphic

CC:  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 23, 2015

Ms. Roxanne Eflin  
Executive Director  
Colorado Preservation, Inc.  
1420 Ogden Street, Suite 104  
Denver, CO 80218

**SUBJECT:** APE Modification and Updated Effect Determinations, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Eflin,

In correspondence dated October 9, 2015, we communicated a change in drainage configuration accessing the South Platte River via a sub-surface pipe beneath the north-western corner of the National Western Stock Show Historic District (5DV10050). The Colorado State Historic Preservation Office (SHPO) concurred with the determination of *no adverse effect* for that work relative to resource 5DV10050. The initial configuration for the drainage outfall connected to the Burlington Ditch/O'Brien Canal (5AM465). The newly identified configuration, reflected in the correspondence of October 9, 2015, ties into the South Platte River south of the Canal; leaving resource 5AM465 unaffected by the project. Additional details are reflected below.

**Area of Potential Effect Update:** The Area of Potential Effect (APE), as previously defined, ran north of Race Court from Brighton Boulevard to the South Platte River to accommodate effects associated with the drainage and outfall planned in this area. Because the drainage is now planned to access the South Platte by crossing under Race Court and Franklin Street within the boundary of the National Western Stock Show (5DV10050), the APE line has been adjusted to include the north-western corner of that resource to account for the sub-surface drainage work. Please refer to the attached APE graphic for additional detail.

### Eligibility

**Burlington Ditch/O'Brien Canal (5AM465):** The entire Burlington Ditch/O'Brien Canal was determined *officially eligible* for inclusion in the NHRP in 1988. The resource is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment (5AM465.9), thirteen (13) crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. These alterations impact a small portion of the ditch and the recorded segment retains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the development and expansion of irrigation works in northeast Colorado.

### Effects Update

**Burlington Ditch/O'Brien Canal (5AM465):** The project initially included a stormwater outfall structure accessing the South Platte River via the subject ditch structure. The proposed action was part of each project alternative: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option),

and Partial Cover Lowered (Basic and Modified Options). This work resulted in a determination of *no adverse effect* to resource 5AM465, including segment 5AM465.9. Concurrence on this determination was offered by Colorado SHPO by a letter dated April 27, 2015.

Further design work has resulted in a re-design stormwater outfall access to the South Platte, routing the outfall south of Race Court and under Franklin Street through the north-western corner of the National Western Stock Show (5DV10050). All work within the boundary of resource 5DV10050 will be sub-surface, and was consulted on with your office by a letter dated October 9, 2015. Moving the proposed outfall access south of Franklin Street avoids the Burlington Ditch/O'Brien Canal. Diversion structures and the headgate associated with the ditch are located north of Franklin Street. Please refer to the enclosed outfall graphic for additional details. This work is proposed under all project alternatives: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). Because the work results in avoidance of the ditch structure, the work will result in a determination of *no historic properties affected* under each project alternative with regard to resource 5AM465.

We request your comments on the modified Area of Potential Effect and with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



*for* Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
APE Graphic for Modified Area  
Stormwater Outfall Graphic

CC:  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)





## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 23, 2015

Mr. Kelly Briggs, President  
Fairmount Cemetery Company  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** APE Modification and Updated Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County and  
Adams County (CHS #41831)

Dear Mr. Briggs,

In correspondence dated October 9, 2015, we communicated a change in drainage configuration accessing the South Platte River via a sub-surface pipe beneath the north-western corner of the National Western Stock Show Historic District (5DV10050). The Colorado State Historic Preservation Office (SHPO) concurred with the determination of *no adverse effect* for that work relative to resource 5DV10050. The initial configuration for the drainage outfall connected to the Burlington Ditch/O'Brien Canal (5AM465). The newly identified configuration, reflected in the correspondence of October 9, 2015, ties into the South Platte River south of the Canal; leaving resource 5AM465 unaffected by the project. Additional details are reflected below.

**Area of Potential Effect Update:** The Area of Potential Effect (APE), as previously defined, ran north of Race Court from Brighton Boulevard to the South Platte River to accommodate effects associated with the drainage and outfall planned in this area. Because the drainage is now planned to access the South Platte by crossing under Race Court and Franklin Street within the boundary of the National Western Stock Show (5DV10050), the APE line has been adjusted to include the north-western corner of that resource to account for the sub-surface drainage work. Please refer to the attached APE graphic for additional detail.

### Eligibility

**Burlington Ditch/O'Brien Canal (5AM465):** The entire Burlington Ditch/O'Brien Canal was determined *officially eligible* for inclusion in the NHRP in 1988. The resource is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment (5AM465.9), thirteen (13) crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. These alterations impact a small portion of the ditch and the recorded segment retains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the development and expansion of irrigation works in northeast Colorado.

### Effects Update

**Burlington Ditch/O'Brien Canal (5AM465):** The project initially included a stormwater outfall structure accessing the South Platte River via the subject ditch structure. The proposed action was part of each project alternative: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). This work resulted in a determination of *no*

*adverse effect* to resource 5AM465, including segment 5AM465.9. Concurrence on this determination was offered by Colorado SHPO by a letter dated April 27, 2015.

Further design work has resulted in a re-design stormwater outfall access to the South Platte, routing the outfall south of Race Court and under Franklin Street through the north-western corner of the National Western Stock Show (5DV10050). All work within the boundary of resource 5DV10050 will be sub-surface, and was consulted on with your office by a letter dated October 9, 2015. Moving the proposed outfall access south of Franklin Street avoids the Burlington Ditch/O'Brien Canal. Diversion structures and the headgate associated with the ditch are located north of Franklin Street. Please refer to the enclosed outfall graphic for additional details. This work is proposed under all project alternatives: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). Because the work results in avoidance of the ditch structure, the work will result in a determination of *no historic properties affected* under each project alternative with regard to resource 5AM465.

We request your comments on the modified Area of Potential Effect and with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



 Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
APE Graphic for Modified Area  
Stormwater Outfall Graphic

CC:  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 23, 2015

Ms. Patricia Carmody  
Executive Director  
Fairmount Heritage Foundation  
430 S. Quebec Street  
Denver, CO 80247

**SUBJECT:** APE Modification and Updated Effect Determinations, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Ms. Carmody,

In correspondence dated October 9, 2015, we communicated a change in drainage configuration accessing the South Platte River via a sub-surface pipe beneath the north-western corner of the National Western Stock Show Historic District (5DV10050). The Colorado State Historic Preservation Office (SHPO) concurred with the determination of *no adverse effect* for that work relative to resource 5DV10050. The initial configuration for the drainage outfall connected to the Burlington Ditch/O'Brien Canal (5AM465). The newly identified configuration, reflected in the correspondence of October 9, 2015, ties into the South Platte River south of the Canal; leaving resource 5AM465 unaffected by the project. Additional details are reflected below.

**Area of Potential Effect Update:** The Area of Potential Effect (APE), as previously defined, ran north of Race Court from Brighton Boulevard to the South Platte River to accommodate effects associated with the drainage and outfall planned in this area. Because the drainage is now planned to access the South Platte by crossing under Race Court and Franklin Street within the boundary of the National Western Stock Show (5DV10050), the APE line has been adjusted to include the north-western corner of that resource to account for the sub-surface drainage work. Please refer to the attached APE graphic for additional detail.

### Eligibility

**Burlington Ditch/O'Brien Canal (5AM465):** The entire Burlington Ditch/O'Brien Canal was determined *officially eligible* for inclusion in the NHRP in 1988. The resource is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment (5AM465.9), thirteen (13) crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. These alterations impact a small portion of the ditch and the recorded segment retains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the development and expansion of irrigation works in northeast Colorado.

### Effects Update

**Burlington Ditch/O'Brien Canal (5AM465):** The project initially included a stormwater outfall structure accessing the South Platte River via the subject ditch structure. The proposed action was part of each project alternative: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option),

and Partial Cover Lowered (Basic and Modified Options). This work resulted in a determination of *no adverse effect* to resource 5AM465, including segment 5AM465.9. Concurrence on this determination was offered by Colorado SHPO by a letter dated April 27, 2015.

Further design work has resulted in a re-design stormwater outfall access to the South Platte, routing the outfall south of Race Court and under Franklin Street through the north-western corner of the National Western Stock Show (5DV10050). All work within the boundary of resource 5DV10050 will be sub-surface, and was consulted on with your office by a letter dated October 9, 2015. Moving the proposed outfall access south of Franklin Street avoids the Burlington Ditch/O'Brien Canal. Diversion structures and the headgate associated with the ditch are located north of Franklin Street. Please refer to the enclosed outfall graphic for additional details. This work is proposed under all project alternatives: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). Because the work results in avoidance of the ditch structure, the work will result in a determination of *no historic properties affected* under each project alternative with regard to resource 5AM465.

We request your comments on the modified Area of Potential Effect and with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



 Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures  
APE Graphic for Modified Area  
Stormwater Outfall Graphic

CC  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)



## COLORADO

Department of Transportation

Region 1

Planning & Environmental  
2000 South Holly Street,  
Denver, CO 80222-4818

October 23, 2015

Mr. John Olson  
Director of Preservation Programs  
Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, CO 80218

**SUBJECT:** APE Modification and Updated Effect Determinations, Interstate 70 (I-70) East  
Corridor Final Environmental Impact Statement Re-evaluation, Denver County and  
Adams County (CHS #41831)

Dear Mr. Olson,

In correspondence dated October 9, 2015, we communicated a change in drainage configuration accessing the South Platte River via a sub-surface pipe beneath the north-western corner of the National Western Stock Show Historic District (5DV10050). The Colorado State Historic Preservation Office (SHPO) concurred with the determination of *no adverse effect* for that work relative to resource 5DV10050. The initial configuration for the drainage outfall connected to the Burlington Ditch/O'Brien Canal (5AM465). The newly identified configuration, reflected in the correspondence of October 9, 2015, ties into the South Platte River south of the Canal; leaving resource 5AM465 unaffected by the project. Additional details are reflected below.

**Area of Potential Effect Update:** The Area of Potential Effect (APE), as previously defined, ran north of Race Court from Brighton Boulevard to the South Platte River to accommodate effects associated with the drainage and outfall planned in this area. Because the drainage is now planned to access the South Platte by crossing under Race Court and Franklin Street within the boundary of the National Western Stock Show (5DV10050), the APE line has been adjusted to include the north-western corner of that resource to account for the sub-surface drainage work. Please refer to the attached APE graphic for additional detail.

### Eligibility

**Burlington Ditch/O'Brien Canal (5AM465):** The entire Burlington Ditch/O'Brien Canal was determined *officially eligible* for inclusion in the NHRP in 1988. The resource is significant under Criterion A for its association with the development and expansion of irrigation works into northeast Colorado. Within the recorded segment (5AM465.9), thirteen (13) crossing structures traverse the ditch, and several portions of the ditch have been lined with concrete. These alterations impact a small portion of the ditch and the recorded segment retains sufficient integrity to support the eligibility of the entire linear resource under Criterion A for its association with the development and expansion of irrigation works in northeast Colorado.

### Effects Update

**Burlington Ditch/O'Brien Canal (5AM465):** The project initially included a stormwater outfall structure accessing the South Platte River via the subject ditch structure. The proposed action was part of each project alternative: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option),



and Partial Cover Lowered (Basic and Modified Options). This work resulted in a determination of *no adverse effect* to resource 5AM465, including segment 5AM465.9. Concurrence on this determination was offered by Colorado SHPO by a letter dated April 27, 2015.

Further design work has resulted in a re-design stormwater outfall access to the South Platte, routing the outfall south of Race Court and under Franklin Street through the north-western corner of the National Western Stock Show (5DV10050). All work within the boundary of resource 5DV10050 will be sub-surface, and was consulted on with your office by a letter dated October 9, 2015. Moving the proposed outfall access south of Franklin Street avoids the Burlington Ditch/O'Brien Canal. Diversion structures and the headgate associated with the ditch are located north of Franklin Street. Please refer to the enclosed outfall graphic for additional details. This work is proposed under all project alternatives: No-Action (North Option and South Option), Revised Viaduct (North Option and South Option), and Partial Cover Lowered (Basic and Modified Options). Because the work results in avoidance of the ditch structure, the work will result in a determination of *no historic properties affected* under each project alternative with regard to resource 5AM465.

We request your comments on the modified Area of Potential Effect and with the updated Determinations of Effect outlined above. If you require additional information, please contact CDOT Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or [ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us).

Sincerely,



f. Charles Attardo  
Region 1 Planning and Environmental Manager

Enclosures:  
APE Graphic for Modified Area  
Stormwater Outfall Graphic

CC:  
Vanessa Henderson, CDOT I70 East NEPA Manager  
Carrie Wallis, I-70 East Project Manager (Atkins)

Attachment I- Appendix AU  
Correspondence from SHPO to  
CDOT October 23, 2015





October 23, 2015

Charles Attardo  
Region 1 Planning and Environmental Manager  
Colorado Department of Transportation, Region 1  
2000 South Holly Street  
Denver, CO 80222

Re: APE Modification and Updated Effect Determinations, Interstate 70 (I-70) East Corridor Final Environmental Impact Statement Re-evaluation, Denver County and Adams County (CHS #41831)

Dear Mr. Attardo:

Thank you for your additional correspondence dated and received by email on October 23, 2015 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). After review of the additional information concerning alteration of the Area of Potential Effects (APE) associated with the addition of a storm drain under the north-west corner of the National Western Historic District (5DV.10050), we do not object to the revised APE for the project.

Additionally, we concur with the finding of *no historic properties affected* [36 CFR 800.4(d)(1)] under Section 106 for resource 5AM.465, including segment 5AM.465.9.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Jennifer Bryant, our Section 106 Compliance Manager, at (303) 866-2673.

Sincerely,

Steve Turner, AIA  
State Historic Preservation Officer





Attachment I- Appendix AV  
Correspondence from Consulting  
Parties Regarding October 23, 2015  
Submittal



STATE OF  
COLORADO

Bushey - CDOT, Ashley &lt;ashley.bushey@state.co.us&gt;

---

**RE: I70E APE Modification and Effects Update**

1 message

Roxanne Eflin &lt;reflin@coloradopreservation.org&gt;

Fri, Oct 23, 2015 at 4:36 PM

To: "Bushey - CDOT, Ashley" &lt;ashley.bushey@state.co.us&gt;

Dear Ashley:

Please consider this Colorado Preservation, Inc.'s official response in concurrence with CDOT's determination of no adverse effect regarding the Modifications of Area of Potential Effect and the updated Determinations of Effect (CHS #41831), I-70 East Corridor.

Roxanne Eflin

Executive Director

Colorado Preservation, Inc.

1420 Ogden St., Suite 104

Denver, CO 80218

[303.893.4260](tel:303.893.4260), x222 - office[207.229.9465](tel:207.229.9465) - mobile

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Help support the initiative to bring a Historic Preservation License Plate to Colorado!

**From:** Bushey - CDOT, Ashley [mailto:[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)]**Sent:** Friday, October 23, 2015 1:51 PM**To:** Roxanne Eflin <[reflin@coloradopreservation.org](mailto:reflin@coloradopreservation.org)>

**Subject:** I70E APE Modification and Effects Update

Good Afternoon Ms. Eflin,

Please find enclosed a letter and graphics requesting your review of an updated APE and effect determination for the I70E project. A hard copy will follow by mail.

Once again, due to tight internal deadlines, we are requesting your response by Friday October 30, 2015. My sincere apologies this tight request.

Please feel free to contact me if you require additional information,

Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental



P 303.757.9397 | F 303.757.9036

2000 South Holly Street, Second Floor Denver, CO 80222

[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) | [www.coloradodot.info](http://www.coloradodot.info) | [www.cotrip.org](http://www.cotrip.org)

<https://www.codot.gov/>

STATE OF  
COLORADO

Bushey - CDOT, Ashley &lt;ashley.bushey@state.co.us&gt;

---

RE: I70E APE Modification and Effects Update

1 message

---

Patricia Carmody <heritage@fairmountheritagefoundation.org>  
To: "Bushey - CDOT, Ashley" <ashley.bushey@state.co.us>

Mon, Nov 2, 2015 at 10:00 AM

Fairmount Heritage Foundation has no comment.

Patricia Carmody

Fairmount Heritage Foundation

430 S. Quebec St.

Denver Co 80247

303-322-3895

[fairmountheritagefoundation.org](http://fairmountheritagefoundation.org)

[facebook.com/pages/Denver-CO/Fairmount-Heritage-Foundation/190008257685758](https://facebook.com/pages/Denver-CO/Fairmount-Heritage-Foundation/190008257685758)

[facebook.com/pages/Historic-Riverside-Cemetery-Fairmount-Heritage-Foundation/138426689565153](https://facebook.com/pages/Historic-Riverside-Cemetery-Fairmount-Heritage-Foundation/138426689565153)

[facebook.com/pages/Historic-Fairmount-Cemetery-Fairmount-Heritage-Foundation/244900925536680](https://facebook.com/pages/Historic-Fairmount-Cemetery-Fairmount-Heritage-Foundation/244900925536680)

**From:** Bushey - CDOT, Ashley [mailto:[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)]

**Sent:** Friday, October 23, 2015 1:53 PM

**To:** Patricia Carmody <[heritage@fairmountheritagefoundation.org](mailto:heritage@fairmountheritagefoundation.org)>

**Subject:** I70E APE Modification and Effects Update

Good Afternoon Ms. Carmody,

Please find enclosed a letter and graphics requesting your review of an updated APE and effect determination for the I70E project. A hard copy will follow by mail.

Once again, due to tight internal deadlines, we are requesting your response by Friday October 30, 2015. My sincere apologies this tight request.



Please feel free to contact me if you require additional information,

Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental

P 303.757.9397 | F 303.757.9036

2000 South Holly Street, Second Floor Denver, CO 80222

[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) | [www.coloradodot.info](http://www.coloradodot.info) | [www.cotrip.org](http://www.cotrip.org)

<https://www.codot.gov/>

----- Forwarded message -----

From: **Bushey - CDOT, Ashley** <[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)>

Date: Wed, Nov 18, 2015 at 8:44 AM

Subject: Re: I70E and Riverside Conference Call

To: "Jonathan E. Milgrom" <[Jonathan.Milgrom@moyewhite.com](mailto:Jonathan.Milgrom@moyewhite.com)>, Dominick Sekich <[Dominick.Sekich@moyewhite.com](mailto:Dominick.Sekich@moyewhite.com)>

Cc: "[vanessa.henderson@state.co.us](mailto:vanessa.henderson@state.co.us)" <[vanessa.henderson@state.co.us](mailto:vanessa.henderson@state.co.us)>

Good Morning,

Thank you again for taking the time to convey concerns regarding the outfall work near Riverside Cemetery and offering the opportunity to address those concerns. A summary of that discussion and resolution is forwarded below, dated October 28, 2015. Please edit or confirm the accuracy of this resolution by reply email no later than Friday November 20, 2015. No response will be considered an indication of acceptance of the meeting notes and resolution as outlined.

Best, Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental



P 303.757.9397 | F 303.757.9036

2000 South Holly Street, Second Floor Denver, CO 80222

[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) | [www.coloradodot.info](http://www.coloradodot.info) | [www.cotrip.org](http://www.cotrip.org)  
<https://www.codot.gov/>

On Wed, Oct 28, 2015 at 2:52 PM, Bushey - CDOT, Ashley <[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us)> wrote:

Mr. Sekich and Mr. Milgrom,

Thank you for taking the time to talk with myself and the I-70E NEPA Manager, Vanessa Henderson, this morning regarding concerns expressed by your office on behalf of your client, Fairmount Cemetery Company (Cemetery), regarding a drainage component of the I-70E Project. The following outlines the concerns presented by your office and summarizes this morning's discussion and conclusions. **Please edit or confirm the accuracy of this resolution by reply email.**

In letters dated October 16, 2015 and October 19, 2015, your office indicated concern that the storm drain outfall proposed by CDOT, which would be constructed south of the Riverside Cemetery property and historic boundary, may impact future plans to re-direct the primary access to the Cemetery property. Access restrictions are a current concern for the Cemetery, and while the CDOT project has no effect on access itself, additional projects proposed by other agencies may impact future Cemetery access. The concern, therefore, is that the proposed CDOT storm drain outfall not foreclose on future plans to re-direct access in response to these undertakings sponsored by other agencies.

Members of the I70-E project team, including engineers for the project, are in contact with other agencies proposing work in this area, including work specific to the area near Riverside Cemetery. Because the permanent improvements proposed by CDOT to accommodate installation of the storm drain outfall will be sub-surface from the railroad parallel to Brighton Boulevard to approximately the second legal parcel (roughly 400 feet), the work will not foreclose on the opportunity to create surface improvements, including access improvements.

Based on our discussion this morning, including confirmation that the sub-surface improvements proposed by CDOT will not foreclose on the opportunity to construct future surface improvements, and coordination occurring between CDOT and other agencies sponsoring undertakings in this area, the Fairmount Cemetery Company is comfortable with the application of a finding of *no adverse effect* relative to the Riverside Cemetery (36 CFR 800.5). A finding of *no adverse effect* acknowledges that the work affects the resource, but does not diminish the features of the resource qualifying it for inclusion on the National Register of Historic Places.

Once again, thank you for the opportunity to discuss your concerns relative to your resource, the historic Riverside Cemetery.

Best, Ashley

Ashley L. Bushey

Senior Historian  
Planning & Environmental



P 303.757.9397 | F 303.757.9036  
2000 South Holly Street, Second Floor Denver, CO 80222  
[ashley.bushey@state.co.us](mailto:ashley.bushey@state.co.us) | [www.coloradodot.info](http://www.coloradodot.info) | [www.cotrip.org](http://www.cotrip.org)  
<https://www.codot.gov/>

# **DOCUMENTATION FOR FINDING OF ADVERSE EFFECT**

**COLORADO DEPARTMENT OF TRANSPORTATION PROJECT AQC R600-165,  
Interstate 70 (I-70) East  
I-70 East From I-25 to Tower Road  
Denver and Adams Counties, Colorado**

**COLORADO DEPARTMENT OF TRANSPORTATION  
REGION 1, PLANNING AND ENVIRONMENTAL  
2000 SOUTH HOLLY STREET  
DENVER, COLORADO 80222**

**May 2015**





## **DOCUMENTATION FOR FINDING OF ADVERSE EFFECT**

CDOT Project AQC R600-165,  
Interstate 70 (I-70) East  
Denver and Adams Counties, Colorado

This documentation is prepared in accordance with the Advisory Council regulations, Section 800.11(e), which stipulates the inclusion of the following items:

- 1. A description of the undertaking, specifying the Federal involvement and its area of potential effects, including photographs, maps, and drawings, as necessary.**

### **Project Background**

The I-70 East Environmental Impact Statement (EIS) is a joint effort between the Federal Highway Administration (FHWA) and the Colorado Department of Transportation (CDOT). The project proposes to construct improvements along I-70 in the Denver metropolitan area between I-25 and Tower Road. The project area covers neighborhoods within Denver, Commerce City, and Aurora including but not limited to Globeville, Elyria and Swansea, Northeast Park Hill, Stapleton, Montbello and Aurora. Improvements to this corridor are necessary to improve safety, access, and mobility and address congestion on I-70 in the project area, which is one of the most heavily traveled and congested highway corridors in not only the region, but the state as well. The Final Environmental Impact Statement (FEIS) evaluates a No Action and two Build Alternatives with minor variations: Revised Viaduct Alternative, and Partial Cover Lowered Alternative. All of the alternatives are still under consideration, although the Partial Cover Lowered has been identified as the Preferred Alternative. Please see pp. 1 of the March 2015 *I-70 East Environmental Impact Statement Section 106 Determination of Effects, Denver and Adams Counties, Colorado* on the enclosed DVD for more detailed information about the alternatives.

### **Area of Potential Effects (APE)**

The APE, which includes areas of Denver, Commerce City, Aurora, and Adams County, encompasses 1,184 acres along the 11.86-mile segment of I-70 from I-25 to Tower Road. The APE includes geographic areas potentially subject to direct or indirect effects, including areas susceptible to visual and auditory impacts. The width of the APE varies, including all potential alternatives under consideration as well as areas that could be impacted by activities such as interchange reconstruction, frontage road relocation, or storm drainage improvements. The boundary is bordered on the west by Interstate 25. The southern boundary encompasses the Denver Coliseum and Globeville Landing Park and generally follows East 45<sup>th</sup> Avenue east through the established neighborhood of Elyria and Swansea. The northern portion of the APE is bounded on the north by East 47<sup>th</sup> Avenue, but includes the Riverside Cemetery and the 4700 block of St. Paul Court. East of Vasquez Boulevard, the APE is bounded on the north by East 48<sup>th</sup> Avenue and on the south by Smith Road or Stapleton Drive, just south of I-70. The far eastern boundary of the survey is located at I-70 and Tower Road. Refinements to the design required multiple consultations between 2012 and 2015 with SHPO and the consulting parties, which include the Denver Landmarks Preservation Commission, Colorado Preservation, Inc., Historic Denver, Inc., the Fairmount Heritage Foundation, and the Fairmount Cemetery Company. See the APE map in **Attachment A** for more information.

- 2. A description of the steps taken to identify historic properties.**

Extensive efforts were made to identify historic properties along I-70 in the Denver metropolitan area between I-25 and Tower Road. Between 2006 and 2015, a series of field surveys were conducted within the APE during which all standing structures built in 1965 or earlier were evaluated. A total of 129 eligible or contributing resources (60 individually eligible resources, and four eligible districts) were identified. Within the four eligible historic districts are 75 contributing properties. The identification efforts have been

documented in several reports, including the 2007 *I-70 East Cultural Resources Survey Report* and the 2013 Eligibility correspondence. Additional properties were also identified in correspondence from October 2013 and December 2013. Finally, a modification to the Partial Cover Lowered Alternative necessitated the survey of eight additional resources, and the historic resource boundary expansion of one resource. Appropriate Colorado Office of Archaeology and Historic Preservation site forms were completed for all of the properties. Copies of the 2007 *I-70 East Cultural Resources Survey Report* and the 2013, 2014, and 2015 eligibility correspondences are included on the enclosed DVD.

**3. A description of the affected historic properties, including information on the characteristics that qualify them for the National Register.**

The National Register-eligible properties listed in Tables 1-6 will be adversely affected by the various alternatives. Descriptions of these properties are included in the March 2015 report entitled, *I-70 East Environmental Impact Statement, Section 106 Determinations of Effects*, which is on the DVD included with this submittal. The tables include a column showing the corresponding page number in the Determination of Effect report. Unless otherwise noted, the page numbers correspond to the March 2015 Determination of Effect report, which includes information about why the properties are NRHP eligible.

The No-Action Alternative, North Option, results in an adverse effect to seven (7) properties, including individually eligible properties and historic districts. The No-Action Alternative, South Option results in an adverse effect to six (6) individually eligible resource and no historic districts. The Revised Viaduct Alternative, North Option results in an adverse effect to eight (8) properties, including individually eligible properties and historic districts. The Revised Viaduct Alternative, South Option results in adverse effects to seven (7) individually eligible resources and one (1) historic district. Finally, the Partial Cover Lowered Alternative results in an adverse effect to thirteen (13) resources, including individually eligible properties and historic districts.

**Table 1: NRHP Eligible Resources Adversely Affected by the No-Action Alternative, North Option**

Site Number	Property Name and Address	Section; Page No., Effects Report
5DV9735	Rudy/ Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617-4625 Race Street	6.1.3; 43
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
<b>Total Resources: 7</b>		

**Table 2: NRHP Eligible Resources Adversely  
Affected by the No-Action Alternative, South Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9245	Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue	6.2.3; 67
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV9679	4541 Clayton LLC Residence 4541 Clayton Street	6.3.3; 106
<b>Total Resources: 6</b>		

**Table 3: NRHP Eligible Resources Adversely  
Affected by the Revised Viaduct Alternative, North Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV9735	Rudy/ Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 8</b>		

**Table 4: NRHP Eligible Resources Adversely  
Affected by the Revised Viaduct Alternative, South Option**

Site Number	Property Name and Address	Section; Page No., Effects Report
5DV9735	Rudy/ Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV9245	Ralston Purina Plant/Nestle Purina PetCare Company 2151 East 45th Avenue	6.2.3; 67
5DV9745	Kenworthy/ Wyckoff Residence 4529 Josephine Street	6.2.3; 78
5DV9678	Rodriquez Residence 4539 Clayton Street	6.3.3; 104
5DV9679	4541 Clayton LLC Residence 4541 Clayton Street	6.3.3; 106
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 8</b>		

**Table 5: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative Basic  
Option**

Site Number	Property Name and Address	Section; Page No., Effects Report
5DV11283	York Street/E. 40 <sup>th</sup> Ave. Brick Sanitary Sewer	6.1.3; 32
5DV9735	Rudy/Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV6248.4	Union Pacific Railroad Segment	6.2.3; 61
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9667	Brown and Alarid Residence 4637 Claude Court	6.2.3; 70
5DV9668	Toth/Kelly Residence 4639 Claude Court	6.2.3; 71

**Table 5: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative Basic  
Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121
5AM1298.2	Market Street Railroad/ Chicago Burlington & Quincy Railroad Segment	6.4.3; 137
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 13</b>		

**Table 6: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative  
Modified Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5DV11283	York Street/E. 40 <sup>th</sup> Ave. Brick Sanitary Sewer	6.1.3; 32
5DV9735	Rudy/Bernal Residence 4618 High Street	6.1.3; 42
5DV9780	Garcia Residence 4617–4625 Race Street	6.1.3; 43
5DV6248.4	Union Pacific Railroad Segment	6.2.3; 61
5DV7130	Colonial Manor Tourist Court 2615 East 46th Avenue	6.2.3; 65
5DV9655	Sanchez Business 2381 East 46th Avenue	6.2.3; 69
5DV9667	Brown and Alarid Residence 4637 Claude Court	6.2.3; 70
5DV9668	Toth/Kelly Residence 4639 Claude Court	6.2.3; 71
5DV9746	Portales Residence 4608 Josephine Street	6.2.3; 79
5DV9801	Stop-N-Shop Food Store 4600 York Street	6.2.3; 92
5DV10126	Alfred R. Wessel Historic District	6.3.3; 121



**Table 6: NRHP Eligible Resources Adversely  
Affected by the Partial Cover Lowered Alternative  
Modified Option**

<b>Site Number</b>	<b>Property Name and Address</b>	<b>Section; Page No., Effects Report</b>
5AM1298.2	Market Street RR/ Chicago Burlington & Quincy Railroad Segment	6.4.3; 137
5DV7048.2	Rocky Mountain Arsenal Railroad Segment	6.4.3; 148
<b>Total Resources: 13</b>		

#### **4. A description of the undertaking's effects on historic properties.**

Effects determinations associated with the properties appearing in Tables 1-6 are described in the March 2015 *Section 106 Determination of Effects* report referenced above. This report is included on the enclosed DVD. Refer to the table for the location of these determinations in this report.

#### **5. An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize, or mitigate adverse effects.**

In accordance with Section 800.5 of the Advisory Council regulations, CDOT has applied the criteria of adverse effect and determined that each of the studied alternatives result in adverse effects to the properties discussed in Items 3 and 4 above. The following information was extracted from the 2014 I-70 East Supplemental Draft Environmental Impact Statement and reflects the ongoing effort to resolve adverse effects in consultation with the SHPO and consulting parties.

##### **Avoidance and Minimization**

A concerted effort was made to minimize effects to historic properties throughout the development of the various alternatives considered for this project. During the 2008 Draft Environmental Impact Statement (DEIS), the CDOT Project Team evaluated alternative strategies that bypassed the current I-70 alignment and relocated the Interstate to the north. While these strategies would have avoided many of the historic properties in the Elyria and Swansea neighborhoods and near the existing I-70 alignment, they were determined unreasonable based on additional data and community input and as a result were eliminated from further consideration.

Since the 2008 DEIS, the No Action Alternatives, North and South Options, were refined in an effort to avoid and minimize impacts to adjacent properties including historic resources. The construction limits were reduced from 50 feet to 20 feet. Because of this reduction, the alternative no longer fully acquired 2 businesses located in historic properties. In addition, impacts to the Alfred Wessel Historic District were minimized. Under the 2008 DEIS, 0.79 acres of the Historic District was to be acquired, whereas only 0.3 acres will be acquired because of the refinements to the footprint of the No-Action Alternatives.

Public comment following the publication of the 2008 DEIS also resulted in the refinement of the Revised Viaduct Alternatives. Rather than placing the highway on raised fill, as was proposed in the 2008 DEIS, the current plans place the highway on a viaduct structure with 46<sup>th</sup> Avenue below the viaduct. This, in turn, minimized impacts as 46<sup>th</sup> Avenue was previously designed adjacent to the highway. Because of this minimization effort, there will be less use of the Alfred Wessel historic district, and the Swansea Elementary School will not be impacted as much as was previously designed. Though Swansea Elementary School is not an historic resource, it is a valued community asset nonetheless.

The Partial Cover Lowered Alternative was not analyzed in 2008, but rather was developed as a result of comments from the community and corridor stakeholders following the 2008 Draft EIS. Efforts to minimize impacts to historic resources under the Partial Cover Lowered Alternative included the use of a 4-percent grade on I-70, the minimization of the 46<sup>th</sup> Avenue typical section, and the interchange ramps were located parallel to the I-70 mainline with walls. In addition, 46<sup>th</sup> Avenue was reduced to one lane westbound from Brighton to York Street. These efforts reduced the use of the Elyria and Swansea neighborhoods, the Alfred R. Wessel Historic District, and Swansea Elementary School. The modified option of the Partial Cover Lowered Alternative removed I-70 auxiliary lanes as well as ramps that allowed the I-70 alignment to be shifted 24 feet south at Steele Street/ Vasquez Boulevard. This results in impacts to four fewer contributing resources to the Alfred R. Wessel Historic District than the basic option.

**Mitigation**

In consultation with the SHPO and the consulting parties, FHWA and CDOT determined that each of the alternatives under consideration for this project results in adverse effects to historic properties. Under the Section 106 process, adverse effects to historic properties must be resolved and mitigated through consultation. Given the scale of this project and the potentially extended time frame for construction phases, a Programmatic Agreement (PA) will be developed containing mitigation stipulations. Meetings between CDOT, FHWA, SHPO, and consulting parties have resulted in a list of potential mitigation measures to resolve adverse effects pursuant to 36 CFR 800.6(b)(1)(i), which will be used in development of the programmatic agreement. Potential mitigation measures include interpretive signage, nominations to the state or national registers, and historic preservation workshops. With additional mitigation stipulations pending completion of the PA, one mitigation commitment has been made and is in development:

- Havey Productions will produce a 28-minute documentary movie on the history of the area in TV-ready format. The films will focus on the communities of Elyria, Swansea, and Globeville, including neighborhood character, and the impact of the interstate/ viaduct, and will include coverage of the Section 106 process.

CDOT has held and will continue to hold meetings with the SHPO and consulting parties to continue discussions about a mitigation plan for the corridor. The final mitigation plan and commitments will be outlined in the Programmatic Agreement for the project.

**6. Copies or summaries of any views provided by consulting parties and the public.**

Section 106 consultation for this project has been ongoing since 2005. Included in **Attachment B** is the correspondence associated with the APE development, determinations of NRHP eligibility, and effects determinations for this project. Due to the volume of this correspondence, it has been scanned and included on the enclosed compact disk under the file "Attachment B" for your convenience.

***ATTACHMENT A***  
***AREA OF POTENTIAL EFFECTS***

4.1

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120









***ATTACHMENT B***

***VIEWS OF SHPO AND CONSULTING PARTIES***

Please see Section 106 Determinations of Eligibility and Effects  
for correspondance with SHPO and Consulting Parties

